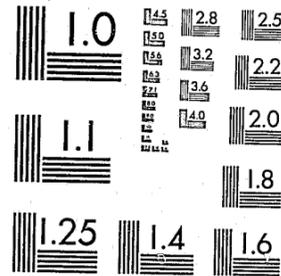


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CURRENT PROBLEMS OF THE WOMEN'S CORRECTIONAL
SYSTEM: ORIGINS AND DEVELOPMENT

FINAL REPORT

U.S. Department of Justice
National Institute of Justice

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Submitted by Nicole F. Rafter
College of Criminal Justice
Northeastern University
Boston, MA 02115

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ABSTRACT

This is a history of the origins and evolution of the system of state prisons for adult women; it covers the 48 continental United States and 54 different penal institutions. The study identifies every state prison for women founded between 1835 and 1979, discussing reasons for their establishment, the types of inmates they held, and the kinds of program which they provided; more importantly, it locates the founding of individual institutions within the broader context of regional and national developments. The study also identifies historical origins of problems faced by the women's prison system today, finding that at least three of these problems--those involving the geographical isolation of many women's prisons, social class biases in aspects of their operation, and the fact that incarcerated women often receive care inferior to that accorded to male prisoners--are rooted in contingencies of the past.

Several different developmental patterns characterize the evolution of the women's prison system. One relates to different types of prisons for women. The report identifies two traditional types (the custodial and the reformatory models) and a third (the modern campus model) which has begun to emerge in the last twenty years. A second developmental pattern relates to stages in the system's development: the first stage, during which the custodial model took shape, ran from the early nineteenth century to about 1870; the second stage, during which the reformatory model predominated in the Northeast and North Central regions, ran from about 1870-1930; and then, after a period 1930-1960 during which the custodial and reformatory models somewhat merged, there began to develop the modern campus type of women's prison. A third pattern relates to regional differences: the study finds that in each

of the four regions of the country, the women's prison system evolved in a distinctly different manner. Although nearly all prior research on women's prisons has centered around institutions of the reformatory type, this type is far from representative of all women's prisons. Thus the almost exclusive focus on women's prisons which originated as reformatories has distorted our understanding of the nature and development of the women's prison system as a whole.

ACKNOWLEDGEMENTS

I would have been unable to compile this report on the origins and development of the women's prison system without the financial assistance of the National Institute of Justice and the help of many colleagues, friends, and contacts in libraries and departments of correction throughout the country.

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I am grateful to Ronald A. Farrell of the Department of Sociology, State University of New York at Albany, for finding two students, Peggy Hobcroft and Roberta Tarkan, to help with data collection from prisoner records held by the New York State Archives. In Ohio, Brenda Chaney and Cindy Kohles similarly

helped with data collection. Deborah Veits and Phyllis Jo Baunach, both of the National Institute of Justice, provided important support and guidance at various points in the project. I was also much aided by people at Northeastern University: Deans Norman Rosenblatt and Robert D. Croatti of the College of Criminal Justice, who found many ways to make my work easier; Laurie Mulcahy, who helped with the tedious tasks of compiling the code book and notes on archival sources; Gerald R. Murphy, Harold G. Arsenault, and Ann S. Hinds of the Office of Sponsored Programs, the latter of whom typed the manuscript of the final report with efficiency and care; my colleague John H. Laub, who read portions of the manuscript and provided many helpful suggestions as well as moral support; and my graduate student Sheryl Adler, who found a way to answer a difficult question about the incarceration of women in Florida.

Yet others who contributed include Professor David Agresti of the University of South Florida; Penny Bernhardt, Warden of the Tennessee Prison for Women; John Berecochea of the Social Issues Research Associates, Berkeley, California, who shared with me his extensive information on the incarceration of women in that state; Susan Datesman and Phyllis Newton of the Arizona State University at Tempe and Berniece M. Hahn, Robert P. Hahn, and Irene Laune of Scottsdale and Phoenix, who helped with the Arizona research; Lucy Freibert of Louisville, who contributed information on one of the early Sing Sing matrons; Dr. Ronald Gold of the Toronto Hospital for Sick Children and Dr. John W. Mills of Indiana, Pennsylvania, who provided valuable information on the history of the treatment of venereal disease; Mary Ann Hawkes of Rhode Island College, who lent me a copy of her dissertation on New Jersey's women's prison and in other ways, too, contributed useful information on that institution; Lucien Lombardo of Old Dominion University, who helped clarify my ideas on the

different models of women's prisons; Sheldon L. Messinger of the University of California at Berkeley, who contributed greatly to my understanding of the history of the incarceration of women in California; and Beverly Smith, post-doctoral fellow at the School of Criminal Justice, State University of New York at Albany, who shared with me some of her ideas on the punishment of women.

Archivists and other librarians in New York, Ohio, and Tennessee provided enormous help and often friendship as well during my research trips to collect data from prisoner registries. Moreover, I could not have completed this project without the aid of correspondents in a number of states who answered queries, often with copies of reports and searches for information.

I owe my greatest debt to my family--Charles, Robert, and Sarah Hahn--without whose patience and good humor it would have been difficult to complete this project.

Any errors or misinterpretations are, of course, entirely my own.

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NOTE ON ABBREVIATIONS AND REFERENCES

In the footnotes which appear at the end of each chapter, references to annual reports (ARs) and biennial reports (BRs) have been standardized. The date following the abbreviations AR and BR is that of the last year spanned by the report. Thus an annual report covering July 1917-June 1918 is referenced AR 1918, and a biennial report covering April 1888-March 1900 is referenced BR 1900.

INTRODUCTION: GOALS AND METHODS OF THE STUDY

This is a history of the origins and evolution of the system of state prisons for adult women. It covers the forty-eight continental United States and fifty-four different penal institutions for women established between 1835 (when the first separate prison for women was founded at Ossining, New York) and 1979.¹ Basically, it is an institutional history. We do discuss characteristics of the prisons' inmates (reporting, among other information, data collected directly from intake ledgers of some institutions), and we identify the founders and early administrators of the institutions as well. The primary focus, however, is on neither the prisoners nor those who served as their custodians and reformers but on the prisons themselves.

Women's prisons have been neglected in most of the criminal justice, historical, and sociological literature, both past and present. It is possible to read entire volumes on the history of penal institutions in the United States without finding more than a passing reference to women prisoners or the institutions in which they were held--a failure the more remarkable in that some women's prisons were innovators, preceding and often outdoing men's prisons in experiments with new methods of management and reform.² In instances where information is given on women's prisons, it is often inaccurate. For example, the 1980 edition of the American Correctional Association's Directory states that Indiana's Women's Prison was opened in 1973; that information is a century off-target, this institution in fact having opened in 1873. Similarly, a recent work titled Women in Prison states, "As we know, women's prisons were created as a reform measure in the 1920s." That information, too, is seriously out of line with the historical reality.³

To determine and report fundamental information about the origins and development of the women's prison system was one central aim of this research project. That is, we hoped to create an empirical foundation of basic knowledge, one on which other researchers might build. The second goal of the research was to identify sources of problems faced by the women's prison system today. Women's prisons are currently beset by a number of difficult problems, many of them unique to institutions of this type. Although attention is increasingly being paid to these problems, some of them are proving intractable. One reason why these problems are difficult to address, much less alleviate, lies with the fact that we know so little about their origins.

The history of women's prisons sheds light on the origins of at least three sets of problems confronting women's prisons today. One of these stems from the relative isolation of such institutions. Women's prisons, for reasons explored in the text, were often deliberately located on large and remote tracts of farmland. Their isolation has led to a variety of problems, including lack of access to community resources, difficulties in hiring staff, and discouragement of visits from families and friends.

A second set of problems which are rooted in history relates to the social class biases of the women's prison system. Today as in the past, women's prisons tend to be administered by white, middle-class women but to incarcerate a population which is predominantly poor and heavily black. In itself, this class difference is not unique to women's prisons; other types of institutions also have middle-class administrators and lower-class populations. However, the women's prison system sometimes operates on the basis of class-grounded assumptions, attempting (for example) to train lower-class women to meet middle-class standards of attractiveness and propriety;⁴ and this problem does flow from historical traditions.

The third set of problems involves differential treatment of the sexes: women's prisons provide care inferior to that of prisons for men. The former offer fewer programs and fewer opportunities for work or study release. Their limited vocational programs continue to be based on traditional notions about work "suitable" to women. Rules are more restrictive than in men's prisons and frequently infantilizing. Women's prisons, moreover, are often the last to be funded by male-dominated correctional bureaucracies.⁵ Those who founded separate prisons for women hardly intended such negative results. However, many of them (as we shall see) fought for the establishment of women's prisons just because they fervently believed in the necessity of differential treatment of men and women. Such treatment became part of the tradition of these institutions.

Not all of the difficulties currently facing the women's prison system are historical in origin. Some, for example, stem from the simple fact that there are fewer incarcerated women than men. As a result of women's lower crime rates, most states operate only one prison for women, an institution which therefore must (in contrast to men's prisons) be multi-functional.⁶ But many of the problems--especially those which, as already noted, involve isolation, social class biases, and differential treatment of the sexes--are susceptible to historical analysis. A better understanding of the origins of these problems, and of the ways they have become imbedded in the philosophy and operation of women's prisons, should improve our ability to correct them.

Design of the Study

Definition of a "State Prison for Women"

Before states established separate prisons for women, they usually held female state prisoners in a part of their central prison for men, sometimes

off in an attic room or even a small separate building in a corner of the prison yard. We investigated conditions under which women lived in these units, but, because our intention was to focus on the origins of independent prisons for women, we wished to exclude these older, adjunctive units from our definition of "state prisons for women." Therefore we established, as one of our primary definitional criteria, an explicit legislative action which made the women's unit independent.

The primary definition became problematical, however, when we began to deal with some women's prisons established in the twentieth century, especially those founded during the last two or three decades. The difficulty resulted from the fact that in the twentieth century, as states centralized authority over prisons in departments of correction, these departments themselves began to make decisions about the establishment of new prisons, without going to the legislature for anything other than funds. For example, in 1923 Alabama completed a new prison to which male prisoners were transferred from the old Wetumpka penitentiary. Wetumpka's women inmates, however, were left behind, and so the penitentiary in effect became a separate women's institution; this was accomplished, however, not through legislative action but rather through the administrative transfer of the men. In a variation on this process, in 1967 Michigan decided to build a new prison for women. Funds for preliminary planning were obtained from the legislature in that year, but thereafter initiative for location and construction of the new facility lay (insofar as we have been able to determine) with the Department of Corrections, which opened the Huron Valley Women's Facility in 1977. We did not wish to exclude institutions like Wetumpka and Huron Valley from our survey and therefore decided to modify our primary definition when dealing with twentieth century prisons so as to include those established through adminis-

trative as well as legislative action. (Had we attempted to use this modified definition for nineteenth century institutions, we would have been unable to exclude the older, adjunctive units which, though administratively established, were not in any way independent women's prisons.)

Our primary definition, then, described a state prison for women as a state-supported institution for mentally normal, adult female criminals which was legally separate from a penal institution for men or juveniles, having been established through legislative action and operated with some degree of administrative independence. This definition, it will be noted, includes three main criteria:

- (1) State-supported: This criterion excludes municipal and county jails and federal institutions.
- (2) For mentally normal, adult female criminals: This criterion excludes specialized prisons (such as New York's former institution for female defective delinquents)⁷ which held populations differentiated by mental disability. It also excludes prisons whose populations did not consist primarily of adult women convicted of crimes. However, as explained more fully in the body of this report, the legislation which established women's prisons sometimes included a clause permitting the transfer in of "incorrigible" girls from institutions for juveniles.
- (3) Legally separate and established through legislative action: This criterion requires that the prison have been established through a formal and explicit legislative gesture, as opposed to an administrative decision by a warden or prison governance board. Sometimes the legislative act created an entirely new

institution. In other cases, it merely made independent a unit which had previously been administered by a nearby men's prison.

It should be noted that the primary definition does not include these criteria:

- (1) Geographical separation from an institution for men or juvenile women: Geographical separation was frequently an accompaniment of the legislative action, but not always. In the case of Indiana, for example, the legislation created a new institution divided into two "departments," one for girls and the other for adult women. In time the girls were removed to an institution of their own, but from the start the two departments were divided in all aspects of their activity, even to the extent of having their own kitchens and yards. Thus we deal with this adult department, and with other institutions which meet the definitional criteria but were not geographically separate from an institution for men or girls, as separate prisons for women.
- (2) Administration by women: Legislation which established prisons for women often mandated that the new institution's director and most of its other staff be women. But such requirements were not set by all states; moreover, at least one (New York) later changed its mind, amending the original legislation to permit a women's prison to be headed by a male;⁸ and some women's units had female administrators for decades before the legislature established them as independent entities. Thus the presence of female administrators is not used as one of our definitional criteria.

(3) Total administrative independence from a male or juvenile institution: Like geographical separation and female administration, total administrative independence was also a frequent result of the legislative actions which established women's prisons. But in some cases this independence from another institution for adult males or juvenile females was not complete (as in the aforementioned case of Indiana, for example). Thus we decided not to use total administrative independence as a definitional criterion. A women's institution met our criterion of "operated with some degree of administrative independence" if its daily operations were supervised by its own staff, even if its chief matron or other head did not have total or exclusive authority.

As mentioned earlier, it became necessary to modify the primary definition when we came to twentieth century institutions which, though not legislatively established, were clearly separate and independent women's prisons. The modified definition was identical to the primary one except that it omitted the "established through legislative action" criterion to permit inclusion of prisons established through administrative decision as well.

The National Survey

The research design had two main components, the first of which was a state-by-state survey to identify women's prisons established by the forty-eight continental United States. We identified fifty-four such prisons. Some states never established a women's prison; others established several. A few founded a women's prison only to close it at a later point; we covered these now defunct institutions as well.

It would have been impossible to follow every prison from the time of its establishment into the present (or to its point of demise); moreover, our aim was not to do full-scale histories of each prison but rather to follow the development of the women's prison system as a whole. Therefore for each institution we focused on the period from five years before the prison opened to the end of its first decade of operation. We wanted to look at the situation of women convicts in the five-year period before the independent prison was opened to see if this situation had created pressure for creation of the new institution (if, for example, the warden of the penitentiary where the women were previously held had for some reason been anxious to get rid of them). We were also interested in the prior arrangements because we wanted to determine how (if at all) conditions for women prisoners changed after the opening of the independent prison (if, for example, a better program became available to them). So we collected information from documents pertaining to penitentiaries, jails, and other institutions where female state prisoners were held during the five-year period before they had a prison of their own. For information on the new institution, we covered the first five and then the tenth annual report of each prison and other documents pertaining to this first decade of operation.

We formulated a list of key questions to guide the research on each prison. Our first question was the one just noted--where were female state prisoners held previously and under what conditions? The second involved discovering who the backers of the new institution had been and what arguments they had used in their lobbying efforts. We then gathered basic factual information on each prison, asking a set of subsidiary questions about its original title, dates of establishment and opening, location, and the rationale for selection of that location. Next we asked if any restrictions had

been placed on the type of prisoner the institution could legally receive, and we determined the types of sentences which applied to its inmates. We also tried to determine who the women were who were incarcerated in the prison in terms of their age, race, nationality, and offense--an arduous and sometimes impossible task, given the nature of published reports. In addition, we asked questions about the physical plant, administrative structure, program, and disciplinary mechanisms of each new institution. (For a full list of the guideline questions, see Appendix D.)

We were not able to answer all questions for each institution. For a few states, our access to data was severely limited because no official reports had been issued, either by the prison itself or by its supervisory agency. In these cases, an attempt was made to gather information on the origins of the prison from state libraries, departments of correction, and historical societies. These efforts usually proved successful, and at least a general picture of the early history of the prison could be drawn. In only one state, Arkansas, were we unable to gain access to annual reports which we know exist, due to lack of official cooperation with our research.⁹

In the body of the report, information collected in the course of the national survey is organized by region (Chapters 2 through 5). The regions are defined in Appendix C.

In-depth Studies

The second major component of the research design consisted of in-depth studies of five prisons, one in Tennessee and two each in Ohio and New York. The in-depth studies, providing full-scale portraits of a few specific prisons over time,¹⁰ were included to supplement the overview of the evolution of the women's prison system as a whole which had been obtained through the state-by-

state survey. Moreover, because the in-depth studies included collection of data from original prisoner registries, they provided more reliable information on inmate and offense characteristics than those we obtained (relying on published reports) through the national survey.

At the time the five prisons were chosen for in-depth study, little information was available to guide selection. Tennessee, Ohio, and New York were chosen in part for their geographical diversity,¹¹ in part because we knew they had excellent records on prisoners (including intake ledgers) in their state archives. They offered other advantages as well. For example, Tennessee was the first southern state to found a state prison, and we had reason to believe that women were sent to this institution as early as 1850; thus Tennessee appeared to offer an opportunity to learn about the treatment of women prisoners in the South well before separate women's prisons were founded. The women's "annex" to the Ohio Penitentiary (to give a second example), although it was not created through legislative action, appeared to have been the first separate structure for women prisoners in the country, predating even the women's prison at Sing Sing (Ossining), New York. (The former opened in 1837; the latter, though established in 1835, did not open until 1839.) Attention to the history of this annex and the women it held would, we hoped, give us another long-range view of the treatment of women prisoners before they were removed to an independent institution.

We were particularly interested in New York because in the late nineteenth and early twentieth centuries it was national leader in the area of female corrections. Furthermore, New York had simultaneously operated both a high security prison for female felons and several reformatories for misdemeanants; the contrast between the two types of institutions would, we expected, provide valuable information.¹²

Like New York, Ohio operated both a high security unit for women (the Ohio Penitentiary annex) and a reformatory.¹³ Inclusion of Ohio offered not only a second opportunity to compare the sentences and other characteristics of inmates at two very different types of institutions within one state but also a chance to contrast this set of institutions with the comparable ones in New York. The women's annex at the Ohio Penitentiary appeared to be a good candidate for an in-depth study for two further reasons. First, because it was not a fully independent women's prison according to our primary definition (it was never legislatively established), focus on it would enable us to at least partially determine the nature of nineteenth century women's units excluded by our primary definition. Second, it appeared to provide an interesting parallel to women's units operated simultaneously in Tennessee, the latter state also having made merely administrative arrangements for its female prisoners until the twentieth century.

On the whole, then, selection of the institutions for in-depth study, though somewhat blind, proved fortuitous. The results of the in-depth studies are presented in Chapters 6 through 10. (For information on sampling of the prison registries, see Appendices E and F.)

Sources

Secondary sources on the origins of women's prisons and history of female prisoners are few in number and limited in scope. Until very recently, the only book-length treatment of the subject was Eugenia C. Lekkerkerker's Reformatories for Women in the United States, a work published in Holland in 1933.¹⁴ Lekkerkerker thoroughly covered the major eastern and midwestern reformatories established before her tour of the late 1920s, but she slighted institutions of other regions and other types. Her book is, moreover, uncrit-

ical in its approach, accepting with unquestioning enthusiasm the tenets of reformatory ideology. Another important secondary source, Estelle B. Freedman's Their Sisters' Keepers: Women's Prison Reform in America, 1830-1930, appeared in print just as the present report was completed; we were, therefore, unable to use it. We did, however, make frequent reference to the dissertation on which it was based (a work which, incidentally, is the only one in addition to the present report to make use of original records on female prisoners) and to an article of 1974 in which Freedman summarized the dissertation's findings.¹⁵ Freedman concentrates, in all three works, less on the reformatories themselves than on the women who founded and at first ran them. She argues that these reformers ("their sisters' keepers"), in the process of establishing a toehold for professional women in the field of corrections, also created

a legacy of differential treatment which insisted that female prisoners be treated like juveniles and retrained as "true women" and menial laborers. . . . Such was the mixed record of women's prison reform: for the fallen, retraining as traditional females; for the keepers, transcendence [*sic*] of women's roles and entry into public and professional careers.¹⁶

A third significant piece of research on women's prison history is that reported in 1965 by W. David Lewis in his informative and often amusing account of women held at New York State prisons in the early nineteenth century.¹⁷ Other than these, however, there are few historical accounts of the origins of women's prisons or the treatment of early female state prisoners.¹⁸

During the last five years, several articles have appeared in the women's studies literature which, though they do not focus directly on the history of adult women's prisons, do begin to locate conceptions of female deviance in a

socio-historical context. Barbara Brenzel's "Domestication as Reform: A Study of the Socialization of Wayward Girls, 1856-1905," a report on the Lancaster, Massachusetts, reform school for girls, expertly interprets the policies and programs of that institution in the light of nineteenth century thinking about poverty, reform, childhood, and "true womanhood."¹⁹ Peter L. Tyor's "'Denied the Power to Choose the Good:' Sexuality and Mental Defect in American Medical Practice, 1850-1920," an article which examines the influence of medical concepts of sexuality on institutionalization policies, is of great relevance to women's prison history because many of the late nineteenth and early twentieth century women's reformatories were founded with the explicit intention of "correcting" wayward women, prostitutes, and other sexually deviant females.²⁰ Similarly, Schlossman and Wallach's "The Crime of Precocious Sexuality: Female Juvenile Delinquency in the Progressive Era" deals with turn-of-the-century institutionalization practices in terms of the period's social purity movement.²¹ These works and a few others like them²² take the important step (one which is beyond the scope of the present report) of placing attitudes toward female deviance within the broader picture of changing sex roles and new social movements.

A few dissertations, master's theses, and scattered papers delivered at nineteenth and twentieth century meetings of the National Prison Association and the National Conference of Charities and Correction have also chronicled aspects of women's prison history. The most striking characteristic of all the works we have referred to here is their almost exclusive concentration on women's institutions of the reformatory type.²³ The sole exception is W. David Lewis's study of women held at the decidedly non-reformatory prisons of Sing Sing and Auburn. The others deal mainly with juveniles or adult petty offenders and with the relatively "feminine" reformatories which held these

populations. This concentration, moreover, leads them to deal mainly with institutions of the Northeast and Midwest, the regions where most women's reformatories were located. Higher security, more "masculine" prisons for women, and those of the South and West, have therefore been largely ignored.

As for primary sources, five types provided the backbone information for the present study: (1) legislation (laws which established women's prisons were often quite comprehensive, specifying the institution's function, its structure of governance, types of programs, and so on); (2) the annual or biennial reports issued by the institutions themselves; (3) other annual or biennial reports issued by the prisons' supervisory bodies; (4) reports of the institution(s) where women were held before the independent prison was opened; and (5) archival materials, most importantly intake ledgers, which were used for the in-depth studies. Depending on need, we also utilized a number of other sources such as governor's messages and reports of special legislative investigatory committees; general histories of the state's institutions or welfare boards; historical society journals and documents; and newspapers. Particularly useful were the various Handbooks published by the National Society of Penal Information between 1925 and 1942, works frequently compiled by Paul W. Garrett and/or Austin MacCormick which reported the results of prison-by-prison investigations throughout the country.²⁴ Similarly helpful for the national picture in the early twentieth century were the studies made by the federally-funded Prison Industries Reorganization Administration, a body which generated descriptions of the prison systems of a number of states without by-passing prisons for women.²⁵ (For a fuller description of the sources utilized for this report, see Appendix B.)

In the course of using these primary sources, we formulated several rules-of-thumb relating to the quality of information we could expect, rules

which may also be used to provide a few cautions to readers of this report. We found that information was generally more limited and more difficult to obtain for women's prisons which were:

- (1) administratively rather than legislatively established;
- (2) established relatively recently;²⁶
- (3) established in the South or West.

(Readers of the report will discover that these three phenomena often went together.) These limitations of our data sources are reflected in the report, which perforce presents less information on institutions which were established administratively, relatively recently, and in the South or West.

Organization of the Report

This report is organized into four parts. The first (Chapter 1) summarizes the findings on types of women's prisons and stages in the development of the women's prison system. Part two (Chapters 2-5) describes the development of the women's prison system in the Northeast, North Central region, South, and West. The third part (Chapters 6-10) presents the findings of the five in-depth studies. Finally, part four (Chapter 11) summarizes regional differences and reviews the findings of the study as a whole, providing a conclusion.

Notes

¹See Appendix A. The study in fact covers fifty-five institutions, fifty-four of which meet our definitional criteria for a "state prison for women" and one (the women's annex operated for most of the nineteenth century and part of the twentieth at the Ohio Penitentiary) which does not. As noted later in this chapter, we included the latter in order to gain some understanding of the nature of women's units excluded by our definitions.

²The most obvious example of leadership by women's prisons, and of the ways their contributions have been slighted, relates to the origins of reformatories. Nearly all the prison history literature, including David J. Rothman's new Conscience and Convenience: The Asylum and its Alternatives in Progressive America (Boston: Little, Brown and Company, 1980), holds that the first reformatory was the men's institution opened at Elmira, New York, under Zebulon R. Brockway in 1877. The first reformatory was, in fact, the women's institution opened in Indianapolis in 1873. Moreover, the Massachusetts Reformatory Prison for Women was also opened in 1877, the same year as Elmira.

³American Correctional Association, Directory 1980 (College Park, Maryland: The Association, 1980):84; Kathryn W. Burkhardt, Women in Prison (Garden City, NY: Doubleday & Company, 1973):366.

⁴See, for example, Ruth M. Glick and Virginia V. Neto, National Study of Women's Correctional Programs (Washington, D.C.: National Institute of Law Enforcement and Criminal Justice, LEAA, 1977):xxii.

⁵Burkhardt, Women in Prison; Clarice Feinman, Women in the Criminal Justice System (New York: Praeger, 1980): Chapter 3; Estelle B. Freedman, Their Sisters' Keepers: Women's Prison Reform in America, 1830-1930 (Ann Arbor: University of Michigan Press, 1981); U.S. General Accounting Office, Comptroller

General's Report to the Congress, Women In Prison: Inequitable Treatment Requires Action (Washington, D.C.: General Accounting Office, 1980); Glick and Neto, National Study of Women's Correctional Programs; Judith Resnik and Nancy Shaw, "Prisoners of Their Sex: Health Problems of Incarcerated Women," in Ira Robbins, ed., Prisoners' Rights Source Book: Theory, Litigation, and Practice (Clark Boardman, 1980); Linda R. Singer, "Women and the Correctional Process," American Criminal Law Review 11 (Winter 1973):300-308.

⁶Ironically, then, women pay a price for committing less crime. For comparative data on the numbers of men and women in prisons, see, for example, the GAO report on Women in Prison:21.

⁷New York operated an Institution for Mentally Defective Delinquent Women at Albion between 1931 and 1970; for a history of this institution, see Nicolas Fischer Hahn (Nicole F. Rafter), "The Defective Delinquency Movement: A History of the Born Criminal in New York State, 1850-1966" (unpublished doctoral dissertation, State University of New York at Albany, 1978): Chapter IX. There seem to have been few other such specialized and independent female institutions in the country.

⁸Clifford M. Young, Women's Prisons Past and Present and Other New York State Prison History (Elmira Reformatory: The Summary Press, 1932):38 (pam.).

⁹In Maine, no one was able to locate reports which we knew to exist until one volunteer researcher discovered them for us in an attic at the girls' training school in Hallowell; hopefully, they are now in the state's archives.

¹⁰We followed the history of three of these prisons until their date of closing (1917 for the women's unit at the Ohio Penitentiary, 1931 for the Western House of Refuge at Albion, New York, and 1933 for the New York State Prison for Women at Auburn). We followed that of the Ohio Reformatory for Women until 1943, a point beyond which our research capacity could not carry

us. In the case of Tennessee, however, we were able to follow the incarceration of women until 1979.

¹¹The original research design also included California as a state for in-depth study; we had expected to be able to utilize computerized data on California's women prisoners collected by another research team. However, as we did not receive these data, we finally had to exclude California from this part of the study.

¹²Originally we selected Bedford as the New York reformatory for in-depth study. We had to substitute the Albion Western House of Refuge, however, because we found that Bedford's prisoner records had been destroyed (fed to the furnaces at Sing Sing, according to one report).

¹³In contrast to the situation in New York, however, the two Ohio institutions were operated sequentially, not simultaneously.

¹⁴Eugenia Cornelia Lekkerkerker, Reformatories for Women in the United States (Batavia, Holland: Bij J.B. Wolters' Uitgevers-Maatschappij, 1931).

¹⁵Estelle B. Freedman, Their Sisters' Keepers: Women's Prison Reform in America, 1830-1930 (see note 5), "Their Sisters' Keepers: The Origins of Female Corrections in America" (Columbia University, Ph.D. dissertation, 1976), "Their Sisters' Keepers: An Historical Perspective on Female Correctional Institutions in the United States: 1870-1900," Feminist Studies 2 (1) (1974):77-95. The data from the prisoner records do, of course, appear in the book as well as the dissertation.

¹⁶Freedman, "Their Sisters' Keepers: The Origins of Female Corrections in America," p. 3.

¹⁷W. David Lewis, "The Ordeal of the Unredeemables," Ch. VII in From Newgate to Dannemora: The Rise of the Penitentiary in New York, 1796-1848 (Ithaca: Cornell University Press, 1965).

¹⁸Claudine SchWeber is working on a full-scale history of the origins and early years of Alderson, the first federal prison for women; some of her findings will soon appear in "'The Governments's Unique Experiment in Salvaging Women Criminals: Cooperation and Conflict in the Administration of a Women's Prison," in Nicole F. Rafter and Elizabeth A. Stanko, eds., Judge, Lawyer, Victim, Thief: Women, Sex Roles, and the Criminal Justice System (forthcoming, Boston: Northeastern University Press, 1982). Also see Chapter IX in Hahn, "The Defective Delinquency Movement" and Nicolas F. Hahn, "Too Dumb to Know Better: Cacogenic Family Studies and the Criminology of Women," Criminology 18 (1) (May 1980):3-25.

¹⁹Barbara Brenzel, "Domestication as Reform: A Study of the Socialization of Wayward Girls, 1856-1905," Harvard Educational Review 50 (2) (May 1980):196-213.

²⁰Peter L. Tyor, "'Denied the Power to Choose the Good:' Sexuality and Mental Defect in American Medical Practice, 1850-1920," Journal of Social History 10 (2) (Summer 1977):472-489. During this period, female sexual deviance was frequently attributed to mental defects.

²¹Steven Schlossman and Stephanie Wallach, "The Crime of Precocious Sexuality: Female Juvenile Delinquency in the Progressive Era," Harvard Educational Review 48 (1) (February 1978):65-94.

²²For example, Mark Thomas Connelly, The Response to Prostitution in the Progressive Era (Chapel Hill: University of North Carolina Press, 1980).

²³This type is defined in Chapter 1.

²⁴The National Society of Penal Information, Handbook of American Prisons (G.P. Putnam's Sons, 1925); Austin H. MacCormick and Paul W. Garrett, eds., Handbook of American Prisons, 1926 (New York: G.P. Putnam's Sons, 1926); Garrett and MacCormick, eds., Handbook of American Prisons and Reformatories,

1929 (New York: National Society of Penal Information, 1929); William B. Cox, F. Lovell Bixby, and William T. Root, eds., Handbook of American Prisons and Reformatories, Volume I, 1933 (New York: The Osborne Association, 1933); Cox and Bixby, eds., Handbook of American Prisons and Reformatories: Volume I, West North Central States, 1938 (New York: The Osborne Association, 1938); Austin H. MacCormick, ed., Handbook of American Prisons and Reformatories: Volume II, Pacific Coast States, 1942 (New York: The Osborne Association, 1942). The National Society of Penal Information became the Osborne Association in the early 1930s.

²⁵The U.S. Prison Industries Reorganization Administration did state-by-state investigations which were printed by the U.S. Government Printing Office, often in mimeographed form; the specific reports which we used are cited in the text.

²⁶This phenomenon relates to the manner in which a prison was administered. In the nineteenth and early twentieth centuries, before state prison bureaucracies developed, institutions operated with relative independence and tended to report fully--often proudly--on themselves and their inmates. More recently, however, state boards of corrections have assumed the task of reporting on all institutions to the legislatures, and these bodies usually condense information on all states prisons and prisoners into a brief, sometimes merely mimeographed, annual report.

The relative paucity of our data on recently established prisons for women also reflects, to a small extent, a change from the initial study design. Originally we had planned to stop our survey about 1935; that is, we did not plan to cover institutions established after that date. At the request of the funding agency, we agreed to trace the origins of the women's prisons established through the late 1970s. As many such institutions were

founded after 1935, however, and as our research time remained limited to one year, we were unable to devote as much effort as we would have liked to ferreting out the usually difficult-to-obtain information on these recently established women's prisons.

PART I
OVERVIEW OF THE FINDINGS

CHAPTER 1

TYPES OF WOMEN'S PRISONS AND STAGES IN THE DEVELOPMENT OF THE WOMEN'S PRISON SYSTEM

Several developmental patterns characterize the development of the women's prison system. One relates to types of women's prisons, a second to stages in the system's evolution, and a third to regional differences in both the predominant type of prison and developmental stages. This chapter identifies the major types or models of women's prisons and gives a national overview of stages in the system's development. The final chapter of the report summarizes regional differences and discusses the particular problems associated with the main types of women's prisons of the past, problems which they passed on to women's prisons of today.

Between the founding of the first cellular-style state prisons in the early nineteenth century and about 1930, there developed two different types of prison for women, one conforming to a custodial model, the other to a reformatory model. Women's prisons of the custodial type primarily served the purpose of punishment; retribution was their main function. They were high in security level and often dependent on a nearby men's prison for staff and other resources. Women's prisons of the custodial type might be described as "masculine," for they closely resembled state prisons for men. Those which conformed to the reformatory model, on the other hand, were designed to rehabilitate as well as punish; indeed, the women who founded and operated them often considered rehabilitation to be the central mission of institutions of this sort. Women's prisons of the reformatory type tended to be low in security level and operated with complete independence from a men's institution.

Administered by women and providing female-specific programs, women's prisons of the reformatory type frequently had distinctly "feminine" characteristics.¹

Women's Prisons of the Custodial and Reformatory Types

Origins and Reasons for Establishment

The custodial model developed first, in fact originating with the prison system as a whole. When the first cellular state prisons were founded in the early nineteenth century, they held both sexes. Originally, it seems, women convicts were celled right next to men; but over time, as their numbers expanded, the women were gradually isolated into quarters of their own--separate wings or large attic rooms above the administrative offices. Later still, some states built separate structures within the prison walls for their female convicts, and at about the start of the twentieth century, the women were sometimes moved to a separate building outside the walls but nearby the central prisons. Eventually, some of these separate units became independent institutions through legislative action.

These steps toward increasing isolation of female prisoners in custodial institutions were primarily dictated by not rehabilitative considerations but administrative convenience: wardens found it troublesome to hold men and women in proximity. As a Wisconsin report of 1926 put it, "wardens of prisons everywhere are unanimous in the belief that the housing of women and men prisoners upon the same ground is bad practice, and is the occasion of prison problems which can and should be avoided by wide separation of these two classes." From prisons and penitentiaries throughout the country wardens complained that when women and men were held within the same walls, they would wave at each other, send notes, and engage in lewd behavior. Some wardens felt that the sight of women drove male convicts to "moral perversion, sexual

diversion and degeneracy." Occasionally a guard or other official impregnated a female prisoner, newspapers got wind of the story, and scandals ensued. Hence the wardens' desire to isolate women in custodial quarters of their own.²

Women's prisons of the reformatory type had quite different origins. The reformatory model was conceived when, about 1870, penologists began to articulate the penal philosophy known today as the rehabilitative or treatment approach. Despairing of custodial prisons which aimed merely at punishment, they advocated a new system of prisoner management directed at reformation. The new penology was first set forth in detail at a national conference of prison administrators and reformers held in Cincinnati in 1870. There leaders of the prison reform movement introduced their large and influential audience to the new principles of reformation: a system of rewards, based on the then-innovative "Irish" method of prison discipline, which would enable convicts who evidenced reform to gain promotion to higher "grades" and greater privileges; and indeterminate sentencing, which could further reward "reformed" convicts with early release on parole. The leaders also strongly advocated classification of both prisoners and prisons. Their Declaration of Principles included a call for the classification of women prisoners into institutions of their own: "(T)here shall be . . . separate establishments for women, and for criminals of the younger class." This meeting of 1870, with its mapping out of rehabilitative strategies and its demand for separate women's prisons, was a major event in the origin of women's prisons of the reformatory type. The women's reformatory movement had begun slightly earlier, but the Cincinnati prison congress, by stamping the movement with official approval, gave it respectability and impetus.³

From roughly 1870 to 1930, women's reformatories were founded in most states of the Northeast and Midwest, and a few in the South and West as well. In contrast to custodial units for women, which (as we have seen) were established mainly for reasons of administrative convenience, the reformatories were started with an explicit intent to rehabilitate. Those at whom the reform efforts were aimed, however, were usually not the female felons already being held in custodial units but rather less serious offenders who had traditionally been sent to local jails. Concern for "fallen" women in jails was perhaps the single most important motive which impelled backers of the reformatories, for such women were often mixed with men under filthy and crowded conditions which offered no opportunity whatsoever for reformation. Indeed, jail conditions appeared to degrade "fallen" women even further. According to Rhoda Coffin, founder of the country's first reformatory, Indiana station-houses and jails in the late nineteenth century were an "almost unmitigated evil" in which women of all ages were

hustled together, like cattle in a pen, often so crowded that there is not room, even so much as to sit on the floor; obliged to stand all night in that noxious atmosphere of physical and moral impurity, while all around their open cells . . . very frequently may be seen one surging, sickening mass of men and boys . . . pressing so close as to converse freely in such a manner as would make one blush to hear it.⁴

A North Carolina report of the early twentieth century, this one urging expansion of the state's already established but very small reformatory for women, similarly condemned jail conditions. It described the situation of North Carolina's female misdemeanants as that of

a continually moving, continually added-to procession of unfortunate, "FORGOTTEN WOMEN"--daughters, mothers and grandmothers--in and out of the jails, and in and out again,--back to dirty, desolate or unhappy homes, back to bawdy houses, to drunkenness, soliciting, immorality, running the streets or infesting tourist camps

NO constructive, practical rehabilitative work can be done . . . with women in jails. In the jail environment, the worst, not the best, in a woman is almost inevitably brought out.

To remove women from unwholesome jail conditions, isolate them in all-female institutions, and provide for them a rehabilitative program including work, education, and moral training, was the aim of those who throughout the country backed establishment of women's reformatories. Their goal was not easily achieved, however. Despite the endorsement of separate women's prisons by the 1870 prison congress, the backers of women's reformatories often had to lobby long and vigorously to persuade legislators of the need for a new state institution. Thus mobilization of public opinion, as well as the new penology of rehabilitation, was frequently associated with the establishment of women's prisons of the reformatory type.

Locations, Architecture, and Operational Costs

The two kinds of women's prisons, custodial and reformatory, also differed considerably in their typical location, architecture, and operating costs. Custodial prisons for women, as noted earlier, originated as units within the walls of the states' central prisons for men; and even after separate structures were erected for the women, these were built adjacent to or close by the main men's prisons. In design they resembled men's prisons, usually containing cell blocks with tiers and being high in security level.

Women held in such units frequently had less space for work and recreation than did their male counterparts, their small quarters having been added as afterthoughts to the basically male institution. Custodial women's prisons cost relatively little to operate, for they aimed no higher than to maintain order.

Reformatories, on the other hand, tended to be located on large tracts of land of their own, often several hundred acres of farmland. They were often constructed on the "cottage plan," with a central administrative building around which were grouped separate "cottages," each with bed space for from twenty to fifty inmates. Within the cottages, women had their own "rooms," more spacious and comfortable living units than the cells of custodial institutions, though they too could be locked from the outside. The reformatories were unwalled and in other ways, too, low in security. Such plants were costly to operate. Each cottage had to have its own kitchen, dining room, source of heat, and staff; moreover, the farms often associated with reformatories required personnel and machinery. Because the reformatories incurred such costs, and because they tried to provide rehabilitative programs, they were expensive to operate--usually the costliest penal institution in the state.

Administration

Predictably, the two types of women's prisons were administered in quite different fashions. Those which conformed to the custodial model were managed by men--the wardens of the adjacent men's prisons and their male clerks, physicians, and other staff. After the point at which the women were isolated in wings or small buildings of their own, custodial institutions usually hired a matron to oversee the daily details of operation, and these matrons were

sometimes assisted by a few female guards. Ultimate authority, however, was very firmly in the hands of the officials of the nearby men's prison. The matrons and assistant matrons were required to live in the women's prison and to work very long shifts for extremely low pay. They were often older women, widowed, and poorly educated--women who had been forced by necessity to accept such unpleasant and poorly paid positions.

In sharp contrast, the reformatories were run entirely by women, and these women enjoyed high degrees of administrative independence. Reformatories were headed by female superintendents; moreover, many states required by law that the superintendent hire mainly female staff. Not only the guards but also the physician and the head farmer were often women in reformatories. This emphasis on female staff was in part a result of the theory (usually expressed most strongly by women reformers themselves) that only other women could understand and deal with the problems of criminal women. The emphasis also flowed from the concept of role models: late in the nineteenth century reformers began to develop the idea that "proper" women, through example and sympathy, could encourage "fallen" women to mend their ways. Both lines of reasoning were articulated in a plea of 1868 for matrons to care for female convicts at the Detroit House of Correction:

There are mental peculiarities; there are dark and diverse shades of character; there are labyrinths and mazes of moral perversion, among female prisoners, that demand the presence and molding influence of thoroughly qualified matrons and lady teachers, who, by quicker and more exact intuitions, are enabled to treat and control more successfully the peculiarities of these erring ones.⁶

Many women's reformatories attracted well-educated, vigorous career women to their first superintendencies. Such women were usually a good deal younger

than the matrons of custodial institutions. They weren't necessarily better paid than their matron-counterparts, and they too had to live on their institutions' grounds. But their living quarters were separate and more spacious, and such women seem to have enjoyed not only the authority of their positions but also the challenge of attempting to rehabilitate offenders--the new experiment in prisoner care.⁷

In terms of ultimate administrative authority, too, there were differences between the two types of women's prisons. Those which conformed to the custodial model usually fell under the jurisdiction of the state's prison board, the body whose main function was to supervise and inspect the state's penal institutions for men. Women's prisons of the reformatory type, however, frequently fell under the aegis of a separate state board of charities and correction, the body also responsible for supervising and inspecting institutions for juveniles, the mentally disabled, and the aged. (As this difference suggests, reformatory women were viewed as more akin in their problems to what nineteenth century commentators called "the dependent and defective classes" than to male criminals.) Moreover, whereas the state prison boards were usually all-male bodies, the boards of charity and correction frequently included women, either as regular members or as supplementary groups of "lady visitors." In addition, many women's reformatories (in contrast to prisons of the custodial type) had institutional boards of trustees intermediate in authority between the superintendent and the state board of charities and correction, and nearly all of these boards of trustees were required by law to include female members. Thus both ultimate and intermediate authority over reformatory inmates lay in part in the hands of women, women who (as later chapters explain in more detail) often went out of their way to obtain more funds for and otherwise ameliorate the conditions of females under their care.

Inmate Characteristics

Just as custodial and reformatory institutions differed in their administrative structures, so did they differ in their types of prisoners. Women sentenced to the two kinds of prisons tended to be dissimilar in respect to their offenses, age, and race.

Custodial prisons held mainly felons, women convicted of serious crimes like homicide, robbery, and grand larceny. The reformatories, on the other hand, were mainly designed to hold misdemeanants, women convicted of prostitution and other minor public order crimes. Not all reformatories were able to withstand pressures to also receive more serious female offenders, and as time went on, most gradually incorporated felons into their populations. But particularly in the early decades of the reformatory movement, some reformatories were able to maintain their ideal of receiving only those minor offenders who were, according to the new penology, most susceptible to rehabilitative efforts.

Women sentenced to custodial prisons thus resembled male state prisoners in their offenses; both sexes were committed to state-supported custodial institutions for felonies. But women committed to reformatories, especially in these institutions' early years, had no male counterparts in state-supported penal institutions in terms of their offenses. Although there were state-run prisons for men which were called reformatories, these held young felons, not misdemeanants.⁸ Men who had committed crimes like fornication and drunkenness, if prosecuted at all, were simply not sent to state prisons; at most, they were punished with brief jail terms. The establishment of women's reformatories, then, carried with it unequal justice for women; it brought under state control female offenders who had previously been handled by cities and counties and previously treated more similarly to males. Re-

formatory advocates and administrators felt they were doing such women a service by providing for them special care.⁹ But in the course of providing this special care, they were also instituting a double standard whereby women were expected to conform to a more difficult moral standard than men and were punished if they failed to do so. Female inmates of custodial prisons, on the other hand, were treated more like males.

Not surprisingly, women committed to the reformatories tended to be young. In fact, during the reformatories' early years of operation, many had populations in which the majority of the inmates were between the ages of 16 and 21. A few states went so far as to prohibit their reformatories from receiving women over age 30 at the time of conviction on the theory that women over 30 were unlikely to respond positively to rehabilitative programs. In contrast, the inmates of custodial women's prisons were older, this difference being in part a function of the different type of offenses for which they were convicted. In part, too, it was a result of the fact that women in custodial prisons tended to serve longer terms; in particular, the presence of lifers in such populations worked to raise the average age. Furthermore, none of the custodial prisons placed an upper limit on the age of women who might be received.

In terms of race, larger proportions of the inmates of the custodial institutions were women of color. Even in the North, up to 50 percent of the population of a custodial women's prison might have been black at the turn of the century; at the same time, one could have searched almost in vain for a non-white among the population of many women's reformatories.¹⁰ Racial prejudice on the part of judges was probably one factor which created this difference: many judges--particularly in the South--appear to have treated white female felons with a degree of chivalrousness, finding ways to avoid commit-

ting them to custodial prisons.¹¹ Chivalrousness also seems to have operated when judges sentenced women to reformatories, but in this case it worked to exclude blacks. That is, while judges appear to have been ready to "save" white women by committing them to reformatories, they seem to have been reluctant to similarly "save" women of color, perhaps because they considered the latter less worthy of rehabilitative efforts. Another factor which worked to exclude blacks from the reformatories was racial prejudice on the part of the institutions themselves: two southern reformatories openly refused to receive black women during their early years of operation, and there are indications in the records of at least one northern reformatory that its early administrators did not consider even the possibility of non-white commitments.¹²

Sentencing Practices

Another important difference between the two types of women's prisons to evolve prior to 1930 lay in their sentencing practices. During the nineteenth century, women sentenced to custodial prisons received determinate sentences keyed to the seriousness of their offenses. A woman convicted in 1880 of manslaughter, second degree, for example, might have received a determinate sentence of ten years, and she could have expected to serve the full term with the exception of some time off for good behavior. About the turn of the twentieth century (and as part of the implementation of the new penology articulated at the 1870 prison congress), many states introduced indeterminate sentencing, providing, for example, that a person convicted of manslaughter, second degree, could be held for up to ten years but released on parole after seven if she or he had behaved well. The crucial point here is that women in custodial prisons received the same type of sentence as did men convicted of similar felonies. These sentences were determinate or indeterminate, depend-

ing on the historical period, and their length was linked to offense seriousness. The sexes were treated with relative equality then, in custodial institutions, and the principle of proportionality, according to which the punishment should fit the crime, still prevailed.

Sentencing practices were quite different in the women's reformatories. It is somewhat difficult to generalize on this point because the reformatories developed a great variety of sentencing structures. However, there was a type of sentence which was typical of the "pure" reformatory, the ideal institution which did not have to compromise reformatory ideals. That was the indeterminate three-year sentence, a type unknown in custodial women's prisons. The indeterminate three-year sentence had no minimum. Women could be released on parole at any time, but they could also be held for the three-year maximum if they failed to show evidence that they had been rehabilitated. It is important to note that this type of sentence ignored the old principle of proportionality. It linked time-served to the prisoner's current behavior rather than to the seriousness of her past offense.

What about time-served? Did women in custodial prisons spend more time in incarceration than those in the reformatories? Our review of sentencing data for states which operated institutions of both types indicated that women in custodial prisons did serve longer terms--a predictable finding since they had been convicted of more serious offenses and their sentence lengths were tied to offense severity. However, the terms served by reformatory women, though generally briefer, were arguably more severe in at least two senses.

They were more severe in that, first, the principle of proportionality had been abandoned by the reformatories, at least those which adopted the three-year indeterminate (or an analogous) sentence. The typical reformatory inmate, it will be recalled, was a misdemeanor, convicted of a public order

offense such as prostitution or drunkenness; up-to-three-years was a long term for such petty offenses. Some women who founded and managed the reformatories argued that it was quite proper to ignore the principle of proportionality because their aim was not to punish but to treat--to retrain and reform, a process which required time.¹³ Other supporters of women's reformatories, those who subscribed to the principles of eugenics, argued that the long terms worked to keep genetically inferior women out of sexual circulation. Eleanor and Sheldon Glueck, for example, went so far as to urge that the limited indeterminate sentence received by Massachusetts reformatory inmates be made wholly indefinite:

It may be argued that offenders should not be subjected to the risk of protracted incarceration, perhaps lifelong imprisonment, for "a mere sex offense." Such a view [however] ignores the true significance of the facts. . . . We are dealing not only with a complicated network of biological and socio-economic deficiencies, but with such socially dangerous consequences as the spread of venereal infection, the unrestricted birth of illegitimate, underprivileged children, and like tangible ill effects of unrestrained sexual indulgence. In effect, the majority of our [Massachusetts reformatory] women may truly be regarded as irresponsible members of society, requiring, in many cases, continuous control if not life-long quarantine.¹⁴

No matter what the justification, up-to-three-years (not to mention up-to-life) was a high price to pay for minor crimes from the standpoint of concern for proportionality between offense and punishment.

The second sense in which reformatory sentences were more severe than those of custodial prisons lies in the fact that they helped institute differ-

ential treatment of women. As observed earlier, there were no prisons for men comparable to women's reformatories; if a man was sent to state prison, he had to have committed a felony, whereas women could be committed to most reformatories for mere misdemeanors. Similarly, men could not be required to serve up-to-three-years for minor public order offenses, just as women were not required to serve such terms before the reformatories were founded. Thus the effect of reformatory sentences was, to repeat, to institutionalize and reinforce the double standard; women sent to reformatories were punished more severely than men who committed the same types of crime.¹⁵ Custodial institutions for women, in contrast, were more even-handed in that their inmates tended to receive terms comparable to those of men convicted of similar crimes.

Programs

The differing correctional orientations of the two types of women's prisons, the one toward punishment, the other toward rehabilitation, affected all aspects--vocational, educational, and recreational--of their programs.

Custodial prisons often ran an industry, one which was, moreover, likely to be organized along factory lines. In some inmates produced clothing for the rest of the state's prisons; in others they caned chairs or otherwise finished off products manufactured in the nearby men's prison. The industry of a custodial women's prison was expected to turn a profit or at least to substantially reduce operating costs. In such institutions, women might labor eight or more hours a day, and they were sometimes paid a pittance for their work, money they could collect on release. In all these respects, custodial prisons for women resembled prisons for men, which also usually ran industries, tried to realize a profit, and paid inmates a small wage for their labor.

Reformatories, on the other hand, rarely ran prison industries. In them, work programs consisted of training in the womanly arts of sewing, cooking, waiting on tables, and cleaning. Although inmates of custodial prisons were also assigned to institutional chores, the reformatories glorified such activities, even to the point of offering "courses" in them. A few of the better-funded reformatories, for instance, set up cooking schools with a number of work tables, sinks, and stoves so that inmates could be instructed in food preparation. Many provided instruction in different types of knitting and sewing, courses which might culminate with the production of one's "parole outfit." Such elaborate training in what the reformatories often called "domestic science" could not have been found in custodial women's prisons. The reformatories developed such vocational programs because they aimed at producing "proper" women who would, on release, assume positions as domestic servants or marry and become good wives. As a New York report of 1927 on the Western House of Refuge explained, "No industries are maintained, but every inmate is taught to cook and care for a home. This is the most important thing in the work of the institution. Most of the girls when paroled go into homes where this knowledge is necessary . . ." ¹⁶ Reformatory women tended to spend less time in work programs than their sisters in custodial prisons, usually no more than four hours day; and only rarely were they paid for their work.

As for educational programs, these were almost non-existent in the custodial prisons but played a crucial role in reformatory life. Insofar as the custodial institutions provided any educational training at all, they usually offered it in the evening--after the more important work program had been completed. Typically, the classes were taught by not trained teachers but educated inmates. If there was a paid teacher in a custodial women's prison,

she was likely to be supervised by the male head teacher of the nearby prison for men.

Reformatories, in contrast, made considerable to-do about education, for it was part and parcel of their rehabilitative approach. Generally speaking, reformatory women were required to attend classes for four hours a day (this was the reason they had less time for work programs). There they received instruction in such subjects as reading, penmanship, and personal health care. The reformatories fell far short of providing high-quality education; most were constrained by both inadequate funds and a rather restricted view of what future domestic servants should know. But in contrast to custodial women's prisons, some did offer an abundance of educational opportunities.

In terms of recreational programs, too, the reformatories were superior. Custodial women's prisons allocated space for little other than cells; their inmates often had no yard for exercise and no room other than the mess hall for religious services, meeting with visitors, or socializing with each other. The reformatories, on the other hand, were usually designed to maximize recreational activities. Their extensive acreage made outdoor sports possible; their central buildings often contained a chapel which could double as an auditorium; and the individual cottage units frequently included "living rooms" where inmates could congregate in the evening. The reformatories, moreover, at least in their early years of operation, encouraged involvement of outsiders in institutional activities. Women's clubs would donate books and props for plays, and some of their members might make a practice of regularly visiting the local institution. Involvement of outsiders in the recreational activities of custodial institutions was not unknown, but it occurred much less frequently.

Discipline

Perhaps the most significant contrast between the two traditional types of women's prisons lay in their differing approaches to discipline, using that term in a broad sense to cover not only specific rules and chastisements but also daily routine and more general behavioral standards. The two types of prison did of course differ in their correctional orientations; but even more important than the punishment-rehabilitation contrast is the fact that these varying orientations came to be operationalized, in the two types of women's prisons, in terms of sex roles. Women's prisons of the custodial type approached discipline--rules, punishments, routines, and general behavioral expectations--in a manner similar to that of the men's prisons with which they were closely associated; they applied to women much the same standards as were applied to men. Women's reformatories, on the other hand, "feminized" prison discipline, translating the penology of rehabilitation into an approach which stressed individualization of treatment, mildness of punishments for rule infractions, minimization of security precautions, and programs designed to teach womanly skills. The discipline of women's reformatories, moreover, was congruent with female sex roles in its emphasis on sexual purity and its tendency to infantilize inmates--to treat them as errant children. The translation of "rehabilitation" into feminine terms (a transformation which certainly did not occur in the male institutions classified as reformatories) can only be understood in the context of two social movements--the more general women's reform movement of the late nineteenth and early twentieth centuries, and the social purity movement of the same period--which fed into the women's reformatory movement, shaping the latter and stamping it with much of its distinctive character.

During the period 1870-1930, as Jill Conway and other historians have shown, middle-class women led a variety of reform movements aimed at improving the lot of "the dependent and defective classes" and other underprivileged or disenfranchised groups (including women themselves). Some female reformers became involved in suffrage, others in temperance, the settlement house movement, "child saving," women's prison reform, and so on. Most important to our discussion is the fact that these reformers clung to and even amplified sex-role stereotypes. Indeed, such stereotypes were the vehicle on which they rode into public life, for, as Conway has pointed out, "Intellectually they had to work within the tradition which saw women as civilizing and moralizing forces in society." However, in the process of creating settlement houses, the juvenile court, women's reformatories, and other institutions, "they naturally duplicated existing assumptions about the sexes and their roles."¹⁷ This close link between the broad women's reform movement and the sex roles by which such reformers justified their public activities helps explain why those who founded women's reformatories "feminized" prison discipline--almost as a matter of course.

A second influence contributing to the feminization of prison discipline in the reformatories was the social purity movement, also roughly spanning the period 1870-1930. Fueled by anxieties about prostitution, "bad breeding," urbanization, alcoholism, and the like, and by concern about government corruption and bureaucratic inefficiency as well, the social purity movement generally sought to reaffirm and reinstate traditional Anglo-Saxon standards. Its leaders, as Schlossman and Wallach have shown, "were, by and large, the same types of middle-class, nonethnic individuals who participated in the better-known political and social reforms of the period."¹⁸ For our purposes, the social purity movement was important because it encouraged the incarcer-

ation of prostitutes and other "immoral" women in reformatories and because it stressed middle-class, Anglo-Saxon standards of propriety--the standards which became institutionalized in reformatory discipline.

In part as a result of themes developed by the women's reform and social purity movements, discipline in women's reformatories came to be patterned after an idealized model of family life. The concept that the institution was to function as a family--protecting, nurturing, resocializing--was expressed in the very architecture of reformatories, structured as many were on the cottage plan with its relatively small, home-like units. "The idea of having small houses with little groups," one early advocate of women's reformatories explained retrospectively,

was that each cottage should be a real home, with an intelligent, sympathetic woman at the head to act as mother for the often worse than motherless girls. Certainly many of the young girls and women who come into industrial schools and reformatories have never known real home life or true mother love. It was believed that if small groups could be placed in cottages enough motherly women could be found to give to them the work of affection which would most surely help to redeem them.¹⁹

The family ideal also affected the kinds of rules formulated to maintain institutional order and the kinds of punishments meted out for rule-breaking. To the first superintendent of New York's Western House of Refuge, for example, the "family system" meant an "absence of rewards or penalties without any system of marking for conduct or misconduct." Like many other superintendents, this one also believed, significantly enough, that the "female temperament" could not abide the "arbitrary rules" and stern punishments which characterized discipline in institutions for men.²⁰ Reformatories conceived

of their charges as temperamentally closer to children than to male criminals and punished them accordingly; priding themselves on underutilization of punishment cells, a number of reformatories chastized difficult inmates by sending them, like children, to their "rooms."

An effort to "normalize" incarceration--to make the experience as non-stigmatizing as possible--was another result of the conceptualization of the reformatory as an institutional form of the family. The reformatories rejected traditional prison garb, substituting gingham dresses and other civilian-type outfits for the coarsely-woven striped dresses commonly found in custodial institutions. They also discarded traditional prison terminology, substituting "superintendent" for "warden" and "inmates" or "girls" for "convicts." In yet another manifestation of their anti-institutionalism, most declined to impose the ancient rule of total silence which characterized discipline in a number of custodial prisons for women well into the twentieth century.

Thus broader social concerns, especially those involving the nature of woman's "place" and the need for social purity, flowed into the feminization of discipline in women's reformatories. The result was a new type of prison discipline, one vastly different in style and function from that of both penal institutions for men and custodial prisons for women.

These differences between the two traditional types of women's prisons, custodial and reformatory, are further clarified and elaborated in the chapters which follow. They are summarized in Table 1:1. Needless to say, not every custodial or reformatory prison exhibited every characteristic attributed to these types in Table 1:1; the table merely identifies typical traits. As the next section of this chapter indicates, there were in fact a number of women's prisons which combined elements of the two models.

TABLE 1:1
DIFFERENCES BETWEEN WOMEN'S PRISONS OF THE CUSTODIAL AND REFORMATORY TYPES

		Origins and Establishment				
	Time of Origin	Primary Reason For Establishment	Primary Backers	Prior Arrangements for Prisoners of this Type		
Custodial Model	Ca. 1820; first true example founded in 1833	Administrative inconvenience of holding men and women together	Wardens and state boards of prisons	Previously held in states' central prisons for men		
Reformatory Model	Ca. 1870	Desire to reform "fallen" women, especially those in jails	Women's groups	Previously held in local jails (if incarcerated at all)		
		Plans				
	Location within State	Cost of Establishment	Operational Costs	Security Level	Layout	Individual Living Units
Custodial Model	Near to central prison for men; often in or near a city	Low	Low	High	Traditional prison architecture	Cell or dormitory
Reformatory Model	On a separate tract of land; rural	High	High	Low	Cottage plan	"Room"
		Administration				
	Ultimate Authority	Intermediate Authority	Institutional Head	Sex of Higher Authorities	Sex of Staff	Degree of Authority of Head Woman
Custodial Model	State boards of prisons	None	Warden, matron	Male	Often predominantly male	Low
Reformatory Model	State boards of charity & correction	Institutional boards of trustees	Superintendent	Female	Predominantly female	High
		Administration (continued)		Inmates		
	Social Background of Head Woman	Staff-Inmate Ratio	Conviction Offenses	Ages	Race	Rate of Prison's Growth in Early Years
Custodial Model	Working class	Low	Felonies	Older; often in late twenties or above at commitment	Disproportionately women of color	Slow
Reformatory Model	Upper middle-class	High	Misdemeanors and lesser offenses, esp. morals offenses	Younger; often under 21 at commitment	Exclusively or predominantly white in early years	Rapid
		Sentences and Time-Served		Programs		
	Sentence Type	Time-served	Vocational Programs	Inmate Compensation-Labor	Educational Programs	
Custodial Model	Determinate till ca. 1900; thereafter indeterminate but keyed to offense seriousness	Longer	Hard labor in industries or on farms	Some pay	Minimal	
Reformatory Model	Indeterminate and not necessarily keyed to offense seriousness	Shorter	Domestic labor or at institutional chores	No pay	Played a very important role in total institutional program though often undercut by lack of funds	
		Programs (continued)		Discipline and Care		
	Recreational Programs	Degree of Community Involvement	Overall Correctional Emphasis	Analogous Elsewhere in C.J. System	Emphasis on Rules	
Custodial Model	Minimal or non-existent	Low	Punishment	Men's prisons and jail units for women	High	
Reformatory Model	Relatively rich	Relatively high	Rehabilitation	Institutions for juvenile delinquents	Relatively low in early years	
		Discipline and Care (continued)				
	Silent Rule	Punishments	Prisoner Classification	Degree of Moralism in Treatment	Degree of Differential Treatment of Women in Comparison to Men	
Custodial Model	Often maintained into 20th century	Relatively harsh; similar to those of men's prisons	None other than racial	Low or non-existent	Low	
Reformatory Model	Usually rejected as not conducive to reformation	Relatively mild (in theory at least); similar to those of children	Some other than racial	Often high	High	
		Discipline and Care (continued)				
	Uniforms	Terminology	Quality of Care in Early Years			
Custodial Model	Striped dresses, often of coarse material	Wardan, convict (prisoner), prison	Poor; separation of women into custodial prisons usually spelled decline in quality of care; stigmatizing			
Reformatory Model	Gingham dresses and similar garb	Superintendent, inmate ("girl"), reformatory	Relatively good; separation of women into reformatories usually spelled improvement over jail conditions; emphasis on avoiding stigma			

Stages in the Development of the Women's Prison System and Emergence of a Third Type

The chronological stages in the development of the women's prison system have already been indicated and can be briefly summarized here. The custodial model originated with the founding of cellular, bastille-like prisons in the early nineteenth century. What evidently was the first separate (but not independent) unit for women, that established in conjunction with the Ohio Penitentiary in 1837, conformed to this model as did the first legally-established prison for women, that opened in New York in 1839. Throughout the nineteenth and twentieth centuries, states took steps to isolate women prisoners into separate quarters of the custodial type. About 1870, however, the second traditional model, that of the reformatory, also began to develop. As a result of the recommendations of the 1870 Cincinnati prison congress and of lobbying efforts by women, reformatories were established in a number of states in the period running from about 1870 to 1930.

As we have seen, the reformatories were designed mainly with misdemeanants--particularly morals offenders--in mind; the lobbyists who struggled to establish reformatories were less concerned with the female felons for whom states had already made some sort of provision. Nevertheless, in some states the lobbyists were unable to achieve their goal without agreeing that the new reformatory should also receive the felons held until then at or nearby the state's main prison for men. And in nearly all other states with reformatories, as time went on provision was eventually made for the transfer of felonious women away from the predominantly male state prison to a unit on the reformatory's grounds. This second development was forced in part by the continual build-up in the number of prisoners for whom space was needed at the central prison, a solution for which transfer-out of the women provided a temporary solution.

Another consideration which forced states to commit female felons to their reformatories was financial: to maintain both a custodial unit and a reformatory was simply too expensive. Significantly, it was about 1930, just after the start of a major economic crisis, that a number of states authorized transfer of their female felons to units on the grounds of their reformatories. At about the same time states also appear to have begun doubting the wisdom of spending large sums to incarcerate female minor offenders, often for periods lengthier than those they would have served if held in local jails. In any case, after 1930 expansion in the number of felons, in combination with a decline in enthusiasm for rehabilitating "fallen" women, led to the gradual squeezing out of misdemeanants from the reformatories. The misdemeanants became, once again, the responsibility of local jurisdictions, and those state prisons for women which had begun, in whole or in part, as reformatories for misdemeanants came to hold populations mainly comprised of felons.

Increases in the number of felons and the gradual exclusion of misdemeanants spelled the end of the reformatory type in its pure form: women's prisons which had begun as reformatories now changed character, perforce incorporating elements of the custodial model.²² This intermingling of the two types, however, evidently caused little, if any, dismay among members of the groups which traditionally had backed women's reformatories; at any rate, we found no evidence of objections. That merger of the two types occasioned little resistance is in fact not surprising: by 1930, the women's reformatory movement had run its course, having largely achieved its objectives. Moreover--in part just because the women's prison reform movement had lost its energy--the concern of penologists had by 1930 somewhat shifted from rehabilitation of individuals to efficient management of the state-wide systems.

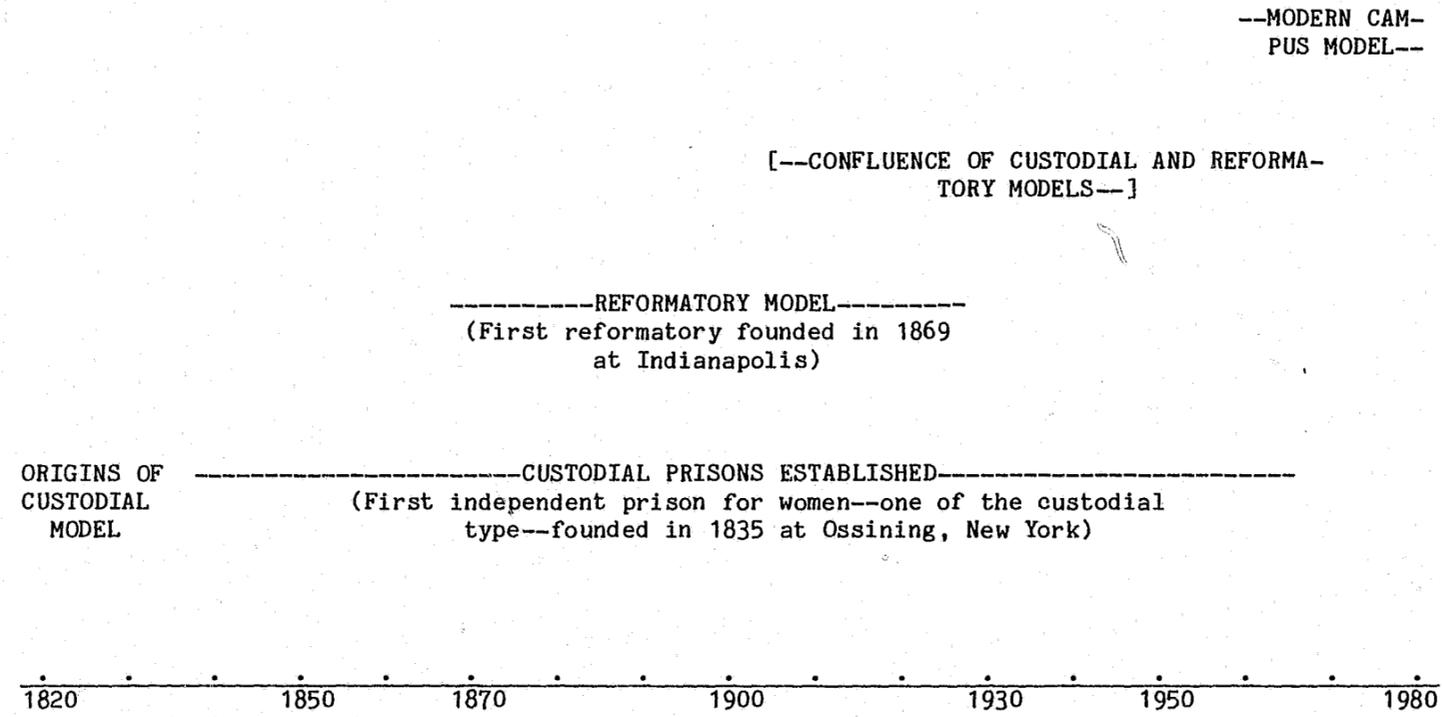
Since 1930, a number of new women's prisons have been established, mainly in the South and West--regions which, as Chapters 4 and 5 show more fully, had founded few prisons for women in earlier years. Several of these post-1930 institutions (most notably California's Institution for Women at Tehachapi) mixed modes, drawing upon elements of the original reformatory plan even though their populations were mainly comprised of felons. Others were purely custodial institutions. Within the last two decades, moreover, there has begun to emerge what appears to be a third model of women's prison, one which might be labeled the modern campus type.

This emergent third type of women's prison incorporates characteristics of the two traditional models, but it does so in such a manner as to constitute more than merely a mixed mode. Like the custodial model, it concentrates on felons, not misdemeanants; it may be headed by a male; and it is established for reasons of administrative convenience. Like the reformatory model, it shuns outer trappings of security such as walls with guard towers, preferring a campus image; and it too stresses rehabilitation. However, in a number of important respects this modern campus model resembles neither of its predecessors. Architecturally it does not conform to either the traditional prison layout or to the cottage plan but rather to that of a new college campus: institutions of this type tend to consist of low, landscaped buildings of brick and glass, structures among which most inmates may pass with relative freedom during daylight hours. Few of these institutions have the funds to provide adequate vocational training programs or rehabilitation services, but a number are struggling to break away from the traditional reformatory equation of female rehabilitation with sex-role training. They continue, in other words, to stress rehabilitation, but they hope to achieve that goal not through domestic training and courses in cosmetology but rather

through training for competitive jobs (including work with computers and in industry), work and study release, and physical and mental health care (including drug and alcoholism programs and the maintenance of family ties). The best known prison of this new type is Washington's Purdy Treatment Center for Women, although several others have been established around the country. Most institutions of the modern campus type are severely overcrowded and unable to realize their goal of developing programs different from those which have traditionally characterized women's prisons. It is significant, however, that they have broken (in theory at least) with both mere custodialism and the marked sex-stereotyping of the reformatory to develop a type of women's prison new in both its plant and ideal program.

Figure 1:1 illustrates these stages in the development of the women's prison system.

Figure 1:1 Stages in the Development of the Women's Prison System



Notes

¹Because this chapter summarizes findings of the report as a whole, we do not attempt to document every statement here. Full documentation can be found in the text and notes to Chapters 2 through 10.

²Wisconsin State Board of Control, BR 1926:36; Virginia, Board of Directors of the Penitentiary, BR 1923:5.

³E. C. Wines, ed., Transactions of the National Congress on Penitentiary Discipline Held at Cincinnati, Ohio, October 12-18, 1870 (Albany: Weed, Parsons and Company, 1871):543 [quotation]. This was the first meeting of the body which became the National Prison Association and which is today known as the American Correctional Association.

⁴Mrs. C. F. [Rhoda] Coffin, "Women's Prisons," National Prison Association Proceedings 1885:193.

⁵North Carolina State Board of Charities and Public Welfare, Division of Institutions and Correction, BR 1936:307; emphases as in original.

⁶Detroit House of Correction, AR 1868:40.

⁷See, for example, Florence Monahan, Women in Crime (New York: Ives Washburn, 1941); Monahan was superintendent of, first, the women's reformatory in Minnesota and, later, that of California.

⁸For example, the first reformatory for men, that at Elmira, New York, took felons only; also see Chapter 10, note 27.

⁹For example, the 1889 report of the New York reformatory at Hudson countered objections to its sentence, which was at that point an indeterminate sentence of five years, with the exclamation that "surely five years is not too long for the sundering of old and evil associations, the breaking of pernicious habits, the formation of new, and the practice and continuance of such till they become fixed and stable" (Hudson House of Refuge, AR 1889:10).

Similarly, the founders of the juvenile court system--also (and not incidently) upper middle-class women--considered their work to be an act of benevolence. As Anthony M. Platt has shown, however, (The Child Savers: The Invention of Delinquency [2d. ed., enlarged; Chicago: University of Chicago Press, 1977]), they too were extending the mantle of state control. Platt rightly ties this development to the changing nature of capitalism in the late nineteenth and early twentieth centuries. A similar analysis of the women's reformatory movement is largely beyond the scope of this report; it is, however, important to note that the reformatory movement (1) vastly increased state control over working class women; (2) aimed at inculcation of middle-class standards of morality and middle-class conceptions of woman's "place"; and (3) worked to produce a work force of obedient domestic servants. See, especially, Platt's "Introduction to the Second Edition."

¹⁰See Chapters 7 and 8.

¹¹Some of the routes which judges may have taken to avoid certain commitments are suggested in the section on "Commitment Laws and Practices" in Chapter 7.

¹²The two southern reformatories were those of North Carolina and Virginia; see Chapter 4. The northern reformatory was the Western House of Refuge at Albion; its intake ledgers leave space for the recording of information on a large number of variables (including mental disabilities of the inmate's grandparents) but none for race, thus indicating that only one race--the whites whom the institution did in fact exclusively receive at first--was expected at the time the ledgers were prepared.

¹³See supra n. 9.

¹⁴Eleanor and Sheldon Glueck, Five Hundred Delinquent Women (orig. 1934), as excerpted in Freda Adler and Rita James Simon, The Criminology of Deviant Women (Boston: Houghton Mifflin, 1979):30.

¹⁵In a sense, then, and to use modern terminology, sentence to the reformatories constituted the "most drastic alternative."

¹⁶New York State Commission of Correction, AR 1927:87.

¹⁷Jill Conway, "Women Reformers and American Culture, 1870-1930," in Jean E. Friedman and William G. Shade, eds., Our American Sisters: Women in American Life and Thought (2d ed.; Boston: Allyn and Bacon, 1976):309. For a related analysis of women's prison reform in particular, see Estelle B. Freedman, Their Sisters' Keepers: Women's Prison Reform in American, 1830-1930 (Ann Arbor: University of Michigan Press, 1981); on child saving see Platt, The Child Savers: The Invention of Delinquency.

¹⁸Steven Schlossman and Stephanie Wallach, "The Crime of Precocious Sexuality: Female Juvenile Delinquency in the Progressive Era," Harvard Educational Review 48 (1) (February 1978):86. Schlossman and Wallach deal with the social purity movement as spanning the period 1900-1920. We, however, prefer to locate its origins in the 1870s, the point at which Richard Dugdale published one of the key works of the social purity movement, his study of the degenerate Jukes family ("The Jukes." A Study in Crime, Pauperism, Disease and Heredity [New York: G. P. Putnam's Sons, 1877]). For another analysis of the social purity movement as it related to deviant women, see Egal Feldman, "Prostitution, the Alien Woman and the Progressive Imagination, 1910-1915," American Quarterly 19 (Summer 1967):192-206.

¹⁹Isabel C. Barrows, "The Reformatory Treatment of Women in the United States," in Charles R. Henderson, ed., Penal and Reformatory Institutions (New York: Charities Publication Committee, 1910):133. Also see Barbara Brenzel, "Domestication as Reform: A Study of the Socialization of Wayward Girls, 1856-1905," Harvard Educational Review 50 (2) (May 1980):196-213.

²⁰New York Western House of Refuge, AR 1898:16-17.

²¹Of course the tendency to treat reformatory inmates like children also stemmed from more general beliefs about the nature of women. "Women," as Lombroso explained in The Female Offender, "have many traits in common with children; . . . their moral sense is deficient; . . . they are revengeful, jealous . . ." (as quoted in Dorie Klein, "The Etiology of Female Crime," in Adler and Simon, eds., The Criminology of Deviant Women:63). This view of women as childish encouraged the Gluecks to argue for extension of juvenile court procedures to adult women. "(I)f one . . . reviews the evidence of the irresponsibility of women of the type described in this work," they wrote in their Five Hundred Delinquent Women, "one must conclude that they need just as much protection and 'salvation' as children; that many of them are, in fact, psychologically children . . ." (as excerpted in Adler and Simon, The Criminology of Deviant Women:27-28).

²²Of course some reformatories had held both misdemeanants and felons from their time of opening; in these, elements of the two models had naturally been mixed from the start. However, even in these, as felons came to predominate in the population, the character of the institution necessarily changed.

PART II

NATIONAL SURVEY: REGIONAL PATTERNS IN THE DEVELOPMENT
OF THE WOMEN'S PRISON SYSTEM

CHAPTER 2

DEVELOPMENT OF THE WOMEN'S PRISON SYSTEM
IN THE NORTHEAST

This chapter covers nine states and thirteen institutions. One of the states, New Hampshire, never established a prison for women. New York more than compensated for this lack, however, by establishing six. In what follows, regional developments are covered chronologically for the most part, a few exceptions being made in order to present a coherent view of the extraordinary development of the women's prison system in New York.

The First Prison for Women

The Mount Pleasant Female Prison, the first state prison for women in the United States, was established in 1835 at Ossining, New York. In order to understand why it was created, it is first necessary to explore how the state handled its female prisoners in previous years. Before the Mount Pleasant institution was established, New York held its female convicts at two sites: the Bellevue Penitentiary in New York City and the state prison at Auburn.

When New York's first prison at Newgate was closed in 1828, its males were transferred to the new institution at Ossining and its six women to the Bellevue Penitentiary.¹ Technically the Bellevue women were in the custody of the Mount Pleasant prison for men at Ossining (Sing Sing), whose inspectors travelled to Bellevue from time to time to investigate their care. According to the reports of these inspectors, living conditions for the Bellevue women were unpleasant in the extreme. Though separated at night, during the day the women were herded together in one room where they made, mended, and washed

clothing for New York City convicts. Seldom (if ever) was there a matron to supervise or care for them. In 1830, there were 38 females at this institution, 25 of them black. One had been convicted of murder, three of arson, the rest of property offenses. Their sentences were long: two of the white burglars had terms of 8 and 10 years, respectively, while a black burglar was serving a sentence of life.² Visiting inspectors from Sing Sing complained that food served to these women was poor in both quantity and quality. When cholera swept through Bellevue in 1833, 11 female convicts managed to escape, but another 8 died. New York City officials in charge of Bellevue were anxious to get rid of the female prisoners; and the Sing Sing inspectors felt obligated to provide better quarters for them.

Conditions for the state's other female convicts, those held at the Auburn prison, were even more primitive. These women were separated from the male prisoners by confinement in an attic room over the south wing. There they were, perforce, together twenty-four hours a day, with no privacy, no relief from the bedlam created by others, no exercise or fresh air. An investigation of 1833 produced the observation that "If there be upon the escutcheon of our State pride and greatness a stain of reproach deeper than all the rest, it is our too great neglect of this class of miserable beings."³ One of these "miserable beings," Rachel Welch, became pregnant after incarceration, was flogged for bad conduct, and died shortly after delivering her child; her death was attributed to the lashing.⁴ Harriet Martineau, visiting Auburn in the mid-1830s, described the women's quarters as "extremely bad."

The women were all in one large room, sewing. The attempt to enforce silence was soon given up as hopeless; and the gabble of tongues among the few who were there was enough to paralyze any matron. . . . There was an engine in sight which made me doubt the

evidence of my own eyes; stocks of a terrible construction; a chair, with a fastening for the head and for all the limbs. Any lunatic asylum ought to be ashamed of such an instrument. The governor [warden] liked it no better than we; but he pleaded that it was his only means of keeping his refractory female prisoners quiet while he was allowed only one room to put them all into.⁵

After 1832, the Auburn women were supervised by a matron, Miss Lucinda Foot. Without means to separate the women, however, or to provide exercise or bathing facilities, Foot could do little to alleviate the miseries of their existence.

Construction of separate prisons for the state's female convicts was recommended in the early 1830s by the governor, the Inspectors of Sing Sing and Auburn, and several legislative committees. At first there was a plan to build two regional prisons for the women, one to be affiliated with Sing Sing and the other with Auburn. W. D. Lewis has amusingly chronicled the efforts of these two institutions to have all the women relocated to the other--neither wanted the expense and bother of having to provide for females. As it happened, only one women's prison was built, that at Sing Sing, an outcome which Lewis attributes to two developments. First, a sudden drop in the number of female convicts in the mid-1830s obviated the need for two institutions; and second, because Sing Sing had realized greater profits from prison labor, it could better afford to build.⁶

The Mount Pleasant Female Prison was established in 1835, but as construction took several years it did not open until 1839. Even before it officially opened, females held at Bellevue were transferred to Sing Sing, so anxious was New York City to pass them on. They were incarcerated in one of the cellblocks within the men's prison until the new unit was ready, at which

point they and women from Auburn were transferred to the new quarters. A New York law of 1841 provided that, thereafter, all women sentenced to a state prison should be sent to the women's prison at Sing Sing.⁷

The women's building was located on the hill behind the men's prison, overlooking the Hudson River. According to a description of the late 1860s, it was "a handsome building, two stories high It has a front of fifty feet, with a Doric portico of imposing proportions, and a depth of one hundred and fifty feet." The inside was modelled on the Auburn plan, with three tiers of cells, twenty-four cells in each tier. At the west end of the building, from which the view was best, were located quarters for the matron. At the east end, within the prison area, was an elevated platform used for chapel services, readings, and lectures. Below it was a nursery. In addition to the main building there was a workshop and two large, separate cells for punishment, each with its own yard. In contrast to the men's area, which was as yet unenclosed, the women's complex was surrounded by a high wall. More cell space was needed within a few years, but the women's prison could not easily be expanded or remodelled. "Poorly designed and difficult to alter," as W. D. Lewis observes, "the Greek temple overlooking the Hudson was an example of penny-wisdom and pound-foolishness."⁸

Ultimate authority for management of the Female Prison lay with the Board of Inspectors of Sing Sing, but daily administration was left to a matron to whom was relegated the same authority over government and discipline as to the principal keeper of the men's section. Several assistant matrons helped her with these tasks. Outstanding among the Sing Sing matrons was Eliza Farnham, who served from 1844 to 1847. Farnham's experiments with reformatory techniques were the most ambitious and innovative efforts to date to morally improve criminals. Far in advance of its time, Farnham's penology forecast the great reformatory movement of the late nineteenth century.

A phrenologist, Farnham was convinced that if she could stimulate her prisoners with positive influences, their criminal tendencies would be overcome. To this end, she introduced a program of education, instructing the women each morning and providing books which they could take to their cells. Farnham was herself a strict disciplinarian, yet she rejected the harshest physical punishments of her day, tried to keep rules to a minimum, and abolished the rule of silence. In another radical departure from contemporary practice, she attempted to alleviate the grimness of the prison environment by introducing flowers, music, and visitors from the outside. Farnham also developed a rudimentary classification system.⁹

These reforms, though they were widely endorsed toward the end of the century, were too radical for Farnham's contemporaries. Conservatives like Sing Sing's chaplain John Luckey considered novel reading and other innovations to be irreligious. Moreover, Farnham's abolition of the silent rule sowed dissent at the neighboring men's prison, where the rule still prevailed. Farnham's opponents publicly attacked her and her reforms. She fought back but eventually lost the struggle, resigning in 1847.

What of the prisoners themselves? All women sentenced to the Female Prison at Sing Sing had determinate sentences, and, as noted earlier, sentences in the early nineteenth century could be very long indeed. They were not, however, necessarily served in full. Sometimes, for example, the Board of Inspectors would ask the governor to pardon some women to relieve overcrowding.¹⁰ During the first years of the prison's operation, about half the population at any one time seems to have been between 21 and 30 years old, with another 25 percent under 21 and the last quarter over 30. In the earliest years, much of the population evidently consisted of women of color; in 1841, for example, of a total of 70, 51 percent were reported to be black and

another 3 percent Indian. In this same year, 70 percent of the prisoners were reported as native born and another 16 percent to have been born in Ireland. Later, the composition of the prison seems to have changed. In 1851, for example, of 75 convicts, only 3 percent were women of color and only 24 percent native born. The proportion of Irish had risen dramatically to 51 percent, with another quarter of the population reported as having been born in other European countries. As for offenses, it appears that in the early years less than 15 percent of the Female Prison's inmates were convicted of crimes of violence; nearly all the rest were serving time for property offenses, petty and grand larceny being the most common offenses in 1851.¹¹

From the start these women were put to work, their early employments including hat-making, boot-binding, and sewing clothes for men at Sing Sing. Their program was minimal, consisting in 1841 of only a Sabbath school taught by lady visitors. By 1843—a year which, as we shall shortly see, was chaotic—even the Sabbath school had been discontinued. With Farnham's arrival began a brief period of programs, the new matron introducing chapel services, a library and daily instruction on "the more interesting persons of the history of our country, in . . . astronomy, in geography, and also in . . . the elements of physiology and physical education." During her tenure, the convicts also continued to work, especially at button-making and hat-trimming. The fact that Farnham did not keep them at work fulltime, however, enraged her critics, who charged that the women's prison should earn higher profits. Farnham replied that women at Sing Sing, like their counterparts outside the wall, were paid much less than men. But this logic did not appease the profit-oriented traditionalists who opposed Farnham.¹²

Due in large part to overcrowding, discipline was frequently a major problem at the Female Prison. In 1843, at which point nearly 85 were being

held in cells designed to hold a maximum of 70, discipline broke down entirely. "Violent battles are frequent," according to the prison's report for that year, "and knives have been known to be drawn among them." There was a matron, but she found it impossible to enforce the silent rule or to prevent women from making contact with male prisoners at work in the nearby quarry. She herself was discovered to be illegally employing a prisoner in her home. The prisoner escaped, the matron was fired, and the women inside the wall engaged in a full-scale rebellion, refusing to work, assaulting keepers, and threatening new matrons. It took several weeks to subdue them.¹³

Punishments for disobedient convicts at the Female Prison were often severe. Visiting in 1844, Dorothea Dix was appalled by the punishment of gagging, "which seems to me shocking and extremely objectionable." Dix believed gagging to be used more frequently with women than men, but on the other hand, she was informed that "In the women's prison, the lash is never used. There the punishments are confinement to their own cells in the main dormitory, or in separate cells, with reduction of food" and, of course, gagging.¹⁴ Farnham preferred kindness to punishment as a means to achieve order, but even she could react punitively, meting out long periods in solitary, cropping women's hair, and using the gag and strait jacket. A list of violations and punishments of 1846 includes:

--"Noise and violence in her room at noon. Shower bath."¹⁵

--"Disobedience and noise in her room. Twelve days solitary confinement in outer cell."

--"Noise in her room at night. Strait jacket for the night, and bread and water for one week."

--"For rushing from her cell when the door was open . . . and repeating it many times . . . a chain six feet in length was made fast to the wall and locked upon her wrist."¹⁶

Discipline at the Female Prison was less harsh than at the old Auburn unit for women, where Rachel Welch was said to have died of her lashing; but on the other hand, the frequent administration of physical punishments was not, as yet, a matter about which authorities felt embarrassed.

By 1859, the Female Prison was so overcrowded that another 28 cells were constructed. This stopgap measure, however, hardly sufficed, and by 1865, with a population of nearly 200, the prison's population was nearly double its capacity. This overcrowding led, soon afterwards, to closing of the women's prison at Sing Sing. In 1865 the legislature authorized that women from the seventh and eighth judicial districts be sent to penitentiaries rather than to Sing Sing, and a law of 1877 emptied the women's prison entirely by providing that all its prisoners be transferred to the King's County Penitentiary.¹⁷ The building itself was not demolished until early in the twentieth century, but for more than a decade after 1877 there was no special institution for women prisoners in New York State.

Developments in Other Northeastern States to 1874:
Placing the New York Experience in Context

In New York, isolation of women prisoners took place earlier than in other northeastern states, but in other respects the New York process was typical of that which occurred elsewhere in the region. Before states began to establish prisons, there was little separation of the sexes in penal institutions. (Indeed, throughout most of the eighteenth century, workhouses and jails seem to have been indifferent to classification of any type, mixing young with old, women with men, misdemeanants with felons, the untried with the convicted.) Not long after the first prisons were established, women began to be at least partially separated, held apart in rooms or on different tiers in these institutions, which were predominantly male. This was the case

at the Auburn prison, which isolated its women in the attic room. It was also the case in New Hampshire: after 1812, when the New Hampshire State Prison was opened at Concord, women were held together in one part of that institution. But because the female state prisoner population of New Hampshire was miniscule--evidently never exceeding six--the need did not develop in that state for a separate prison for women. That is, the New Hampshire arrangement remained similar to the old arrangement at Auburn.¹⁸

Pennsylvania provides an example of a state midway between New York and New Hampshire in the rate at which it developed its women's prison system. When the Walnut Street jail was opened in Philadelphia about 1790, women were separated from the men (as they had also been at New York's first prison, Newgate) and provided with a matron. In the early nineteenth century, when Pennsylvania established penitentiaries at each end of the state, female departments were established within these. Thus Dorothea Dix observed in 1845 that "The Eastern Penitentiary has 20 woman-convicts," supervised by a matron, while "In the Western Penitentiary are 7 women-convicts, no matron" ¹⁹ The Pennsylvania arrangement at this point resembled that which existed at Auburn until 1839. But in contrast to New York, Pennsylvania retained women's units in what were essentially men's prisons for nearly 100 years: reports of the early twentieth century census enumerated a total of about 50 women at the Eastern and Western penitentiaries.²⁰ An arrangement analogous to the early one at Auburn and to that of New Hampshire, in other words, persisted in Pennsylvania well into the twentieth century. It was not until Pennsylvania's first separate prison for women opened at Muncy in 1920 that the departments for women in the Eastern and Western penitentiaries were closed, in a step analogous to that taken at Auburn early in the nineteenth century.

That New York's women's prison system developed first (and, later, most elaborately) can be explained by the state's relatively large numbers of female criminals and its wealth. These two factors fed into the establishment, in 1835, of the country's first women's prison at Sing Sing. New York's return, in 1877, to the older solution of holding female state prisoners in wings of penitentiaries appears, at first, to have been a reversion, an abandonment of the developing ideal of total separation of women. In fact, however, the closing of the Female Prison in 1877 and transfer of its convicts to the King's County Penitentiary merely marked the start of a brief interlude in the overall process of creating a system of entirely independent prisons for women.

The Nineteenth Century Reformatories

The Female Prison at Sing Sing, although it held women separately from men and had a female administration, was still an institution of the custodial type: its cells were arranged in tiers and, except for the brief period under Farnham, it paid little attention to rehabilitation. The next step in the development of the women's prison system in the Northeast, one taken just as the Sing Sing institution was closed, was the establishment of an entirely new type of women's prison, the reformatory, first in Massachusetts and then, toward the century's end, at two locations in New York. We have already identified two factors as important in the establishment of separate prisons for women: the size of a state's population of female prisoners and its resources. To these we must now add a third which became important in the last quarter of the nineteenth century: the development, in states like Massachusetts and New York, of pressure groups led by women who lobbied for entirely separate, administratively independent institutions for female

offenders. Deeply influenced by the penological principles endorsed by the Cincinnati prison congress of 1870,²¹ the reformatory movement aimed at establishment of a totally new type of prison, one which would be rehabilitative instead of custodial. The work of women in this movement led to development of the type of prison which is often taken as typical of women's prisons today.

The Massachusetts Reformatory Prison established in 1874 at Sherborn (today called Framingham) was the first women's reformatory in the Northeast (and, some would say, the first real women's reformatory anywhere in the United States).²² Not long afterward, in 1881, New York established a House of Refuge for Women at Hudson, in the eastern part of the state, and in 1890 it established a second reformatory, the Western House of Refuge for Women, at Albion. All three of these institutions opened before the end of the nineteenth century. (Yet another New York State reformatory, that at Bedford, was established in the late nineteenth century; but because Bedford did not open until 1901, and because it had more in common with twentieth century reformatories than with its three predecessors, it is treated in a later section of this chapter.)

Establishment

As noted in connection with the Mount Pleasant Female Prison, it is usually necessary to determine where women prisoners were held previously if we are to understand why a new institution for this population was established. This is certainly true in the case of Massachusetts, where a buildup in the number of women held in local penal institutions, especially in the Boston area, contributed directly to the pressure for establishment of a women's reformatory.

In the very early nineteenth century Massachusetts held its female convicts at the Charlestown Prison, but due to overcrowding, after 1826 women were sent to local houses of correction and jails. By the late 1860s, women were being committed to such institutions in considerable numbers; in 1868, for example, 610 women were committed to the Boston jail and another 283 to the South Boston House of Correction.²³ At such institutions women were usually supervised by a matron and provided with some employment at institutional chores. They were not, however, absolutely separate from the men and it was not possible, given crowded conditions and short sentences, to develop programs for them. In 1870 women reformers tried to have the Greenfield jail designated as a single sex institution to which all the state's female prisoners could be sent. But resistance from the jail's officials nullified these efforts, and the reformers set their sights on an entirely new, reformatory prison for women.²⁴

After the women's department at Sing Sing closed, in New York, too, women were sent to local institutions--in this case, county penitentiaries. There they were reported to suffer "debasement and wrongs,"²⁵ for only three of the six penitentiaries had separate wings for women inmates and none could absolutely separate the sexes. The presence of these women in New York penitentiaries, however, did not directly influence establishment of reformatories in that state, for reformatories at first took less serious offenders than those held in the penitentiaries. (The presence of the women in the New York penitentiaries, on the other hand, did feed into the establishment of a custodial institution later in the century, a development treated in the next section.)

Supporters of the women's reformatory movement in the two states can be grouped, for analytical purposes, into three categories: the women who lead the movement; a state prison or welfare body through which these women chan-

neled their influence; and, more peripherally, a loose confederation of other individuals and organizations which helped lobby for the cause.

In Massachusetts, two leaders dominated the movement: Hannah B. Chickering, who in 1864 had established a halfway house for discharged female convicts and who had been active in the abortive Greenfield jail effort; and Ellen Cheney Johnson, later a superintendent of the reformatory. (It was common, as we shall see, for women active in the reformatory movement to later assume administrative positions in the institutions they helped found.) Chickering and her associates, realizing that they needed a power based in a state body if they were to achieve their goal, first fought for establishment of a Board of Commissioners for Prisons which had an Advisory Board of three women. (One of the first commissioners was Ellen C. Johnson.) This was the state body which, in Massachusetts, shepherded the legislation for a women's prison into law. Among the peripheral supporters were three men prominent in the national prison reform movement--Zebulon R. Brockway, Frank B. Sanborn, and Enoch C. Wines--and a league established in 1873 which conducted a petition campaign urging legislators to appropriate money for a women's prison.²⁶

In the case of New York the most prominent leader of the women's reformatory movement was Josephine Shaw Lowell; Lowell was assisted, at an important juncture later described in some detail, by Abby Hopper Gibbons. Lowell began her extraordinary career as a founder of institutions for women in the late 1870s, when she established an "asylum" for feeble-minded women at Newark, New York. From there she went on to found no fewer than three reformatories--those at Hudson, Albion, and Bedford. The key state body in New York was the State Board of Charities, on which Lowell served for many years. The outer ring of supporters in New York included the governor, who in his annual message of 1881 urged the legislature to establish a reformatory for women;²⁷ the

Prison Association of New York, a private philanthropy which had a women's branch; and, most importantly, the State Charities Aid Association, another private philanthropy with a strong contingent of women, some of them close associates of Lowell.

The arguments put forth in support of a reformatory in Massachusetts were very similar to those stated in the Declaration of Principles endorsed by the Cincinnati prison congress in 1870. If women prisoners are to be reformed, it was argued, they must be isolated entirely from men and put under the supervision of women. Instead of being relegated to the poorest quarters in local institutions, they must be confined under circumstances which would help restore their self-respect. There they should be provided with academic and vocational training, and there their treatment should be individualized. They should be held for long terms, the argument continued, for short terms made reformational work impossible. Further, the prison should incorporate classification, grading, and other features of the Irish system of prison discipline.²⁸ To these arguments of principle the backers added a few of practicality: establishment of a women's prison would free cell space for men in jails and houses of correction; and the labor of women prisoners would become more profitable if all were located in one place.²⁹

Arguments for women's reformatories were similar in New York, but to them was added a strong eugenic rationale, largely through the influence of Lowell. At about the time Lowell became a member of the State Board of Charities, she was deeply influenced by Richard Dugdale's study of The Jukes, a degenerate family of criminals, drunkards, and mentally diseased persons who, according to Dugdale, were produced by promiscuous women. Lowell was anxious to have New York establish institutions where such women could be prevented from breeding more of their kind. "(O)ne of the most important and most dangerous

causes of the increase of crime, pauperism and insanity," she wrote in 1879, "is the unrestrained liberty allowed to vagrant and degraded women." Lowell argued that reformatories could serve two ends: reformation of fallen women, if possible, eugenic restraint if not. Both ends required longer sentences than "vagrant and degraded" women were currently receiving.³⁰

The State Charities Aid Association amplified this eugenic note. To demonstrate the need for reformatories for women, the SCAA wrote to county poorhouses in 1878 to collect information on "poorhouse women who, being young, have passed nearly all their lives between the jail and the poorhouse. . . . (T)hey go on, getting constantly harder and more desperate, until they become utterly debased themselves and a cause of debasement to many others" In language similar to that of Dugdale and Lowell, the SCAA urged in 1879: "Do not let us allow these women to make of the poorhouse a pauper lying-in hospital for illegitimate children" A reformatory would try to save "debased" women, and even if it failed, it would still keep them from reproducing themselves during their period of incarceration.³¹

Another argument put forth in New York for establishment of a women's reformatory--also influential elsewhere but seldom so clearly articulated--was based on the view of women as weak and hence in need of protection. The first report of the Hudson House of Refuge pointed out that

society everywhere is inclined to visit its censure and ostracism more severely upon women than upon men who have once stepped aside from the paths of rectitude and virtue. This . . . grows out of the fact that women are weaker and less able to protect themselves³²

Because women are weaker, the state must protect them more than men--especially young women involved in sexual misconduct or in "manifest danger" of becoming so involved. On the basis of such reasoning, the women's reformatory

movement did much to institutionalize the double standard of sexual behavior for men and women.

Commitment and Sentencing Provisions and Parole

There were considerable differences in the restrictions placed by the first northeastern reformatories on the types of offenders they might receive, differences between the institutions and in the laws pertaining to individual institutions as these laws were changed over time. The differences reflected both variations in the states' needs and the fact that these first reformatories were experimental institutions. By the early twentieth century, a norm had developed according to which the offenders best suited to reformatory treatment were women between 16 and 30 convicted of misdemeanors or lesser offenses. But the nineteenth century reformatories, having no blueprint, tried a variety of approaches.

To the Massachusetts reformatory could be sent women of any age but only those convicted of minor offenses. There was a flood of commitments the first year--nearly 800 women, mainly inebriates and prostitutes; therefore a provision was added making it possible to exclude repeaters. Then early in the twentieth century, in a dramatic change, Massachusetts passed a law mandating commitment of female felons to the reformatory.³³ As we shall see, other states also decided in the early twentieth century to send felons to their reformatories. Such steps, however, marked abandonment of the original reformatory aim of excluding women whose offenses suggested they were beyond reformation.

In contrast, the changes in the law governing commitment to the House of Refuge at Hudson, New York, worked to restrict the reformatory's population to ever milder offenders. According to the establishing legislation of 1881, the

Hudson reformatory could receive all women between 15 and 30 years convicted of petit larceny, habitual drunkenness, common prostitution, or frequenting disorderly houses of houses of prostitution, except women convicted in New York and King's County. (More on women from these New York City-area counties in a moment.) This law was revised in 1896 so that only women between 12 and 25 could be committed to Hudson. At the same time, it was provided that women between the ages of 15 and 30 could be sent to the newly established reformatory at Albion and to the projected reformatory at Bedford. (The lower limit of 15 years was raised to 16 in 1910.) Albion was to draw from the judicial districts to the west; women from the east were to be sent to Hudson until Bedford opened, after which Bedford should receive women from the New York City area. Continuing the downward trend in the ages of its commitments, Hudson was turned into a training school for girls in 1904, not long after Bedford opened.³⁴

There was, then, a good deal of fiddling with commitment laws as these first reformatories tried to define the populations whom they wanted to reform while at the same time adjusting to the states' needs for space in which to hold various categories of female offenders. In retrospect we can see that Massachusetts was anomalous, in terms of the reformatory movement as a whole: its reformatory received older women from the start, and although for a while it tried to exclude repeaters, early in the twentieth century it began to receive another type--the felon--who was elsewhere usually considered an unsuitable reformatory commitment. New York, on the other hand, was more in line with the reformatory movement as a whole in the way it restricted its reformatory commitments to young, non-serious offenders. In fact, the commitment laws of early Hudson and of Albion and Bedford were largely responsible for establishing the commitment norms adopted elsewhere in the region.

The first reformatories for women were among the pioneers in indeterminate sentencing. Again, the absence of a blueprint meant that there was, at first, considerable experimentation with sentences. The central problem faced by those who framed such provisions was how to reconcile their desire to hold minor offenders for long periods with the traditional principle of proportionality, according to which punishments should be determined by severity of the offense. In efforts to resolve this tension, Massachusetts made several changes in the provisions governing sentence to the women's reformatory. The law which established the reformatory specified a two year maximum (this for offenders who previously would have had a maximum of six months).³⁵ However, it did not bar courts from setting lower maximums, which they often did. (In Sherborn's second year of operation, for example, the great majority of prisoners had sentences of one year or less.) Low maximums seemed to subvert the need for time to retrain offenders; thus changes of 1880 established a one year minimum sentence for all. When felons were introduced in the early twentieth century, a maximum of five years was provided for them unless the committing court explicitly prescribed a longer term; misdemeanants continued to have a maximum of two years.³⁶

In New York, too, legislation governing terms at the reformatories provided that women who, previously, would have been ignored by the justice system or, at most, incarcerated briefly, could now be held for lengthy periods. Originally, women sent to Hudson or Albion could be held for up to five years.³⁷ Some judges objected to the disproportionality involved in such lengthy commitments for women convicted of petty offenses, however. In 1888 the Hudson House of Refuge complained that some of the state's largest counties were not committing women to it in the mistaken belief that five year sentences were too harsh, given the nature of the offenses involved. Judges

simply had not grasped the point, according to the Hudson report, that because the purpose was reformation, not punishment, long sentences were "indispensable to good results."³⁸ "(S)urely," the Hudson report of 1889 exclaimed, "five years is not too long for the sundering of old and evil associations, the breaking of pernicious habits, the formation of new, and the practice and continuance of such till they become fixed and stable." But despite these protests, in 1899 the maximum term was lowered to three years for women committed to both Hudson and Albion.³⁹

Just as these early women's reformatories were pioneers in the development of the indeterminate sentence, so too were they pioneers in the development of parole. Having few examples to follow, they themselves had to work out criteria and procedures for release on parole and supervision. Typically, the state body authorized to supervise the reformatory was given the authority to parole. In Massachusetts this was the Board of Commissioners of Prisons; at the two New York reformatories, it was the institutions' boards of managers. Also typical was the practice of paroling women to their families or, if the families were considered "bad," to domestic positions; in either case, the female heads of household served as informal parole officers, supervising the released prisoners and reporting on their behavior to the institution. After their first few years of operation, reformatories often budgeted a position for a parole officer who would visit parolees in the homes to which they were released, providing another check on misbehavior. The Massachusetts reformatory developed an informal parole system of indenture as domestic servants in 1879, two years before its parole system was formally instituted, and in 1882 the state funded an Agent of Discharged Female Convicts to check up on released prisoners. Women released from the two New York reformatories were required to write once a month to their institutions, and the person

responsible for them was expected to sign these reports, attesting to their accuracy. The New York reformatories also developed positions for parole officers, women who would visit discharged prisoners and return them to the institution if their morals seemed in jeopardy.⁴⁰

Physical Plants

The nineteenth century reformatories for women in the Northeast contributed greatly to the development of a type of plant which, with its cottage living units, embodied the notion that criminal women could be reformed through domestic training in a family atmosphere. But the new type of plant was not developed overnight; again, it is important to recognize that these nineteenth century institutions were breaking new ground. The only available model for penal institutions for adults was that of the maximum security fortress, a model to which even the new reformatories for men adhered. Leaders in the women's reformatory movement wanted to develop a more open type of plant, one more suitable to what they considered woman's gentle and domestic nature. But they were, after all, dealing with prisoners as well as adventuring into uncharted territory, and so they experimented cautiously with architectural innovations. The evolution of the reformatory plant can be observed as we look from the reformatory at Massachusetts to the two in New York, these three institutions having been opened in 1877, 1887, and 1893, respectively.

The Massachusetts reformatory most closely resembled the old-style prison, consisting of a central building with 300 cells and two fifty-bed dormitories. Hannah Chickering had wanted at least some cottages,⁴¹ but her proposal was in advance of its time and the huge congregate building was erected instead. This building still expressed, architecturally, the older,

more punitive prison philosophy; and it reflected the fact that the domestic training programs which later became typical of women's reformatories were still in an embryonic stage. There were, to be sure, signs in Massachusetts that the new penology was on its way: the central building did have dormitories (an arrangement unthinkable in men's prisons), and efforts had been made to create "rooms" less bleak than the traditional cell. But clearly, the Massachusetts institution was constructed at a very early point in the transition from prison to reformatory (a fact also reflected in its original title, "Reformatory Prison").

Hudson took an enormous step forward in developing the type of plant which eventually became typical of the northeastern women's reformatory: it was the first institution for adult women prisoners to adopt the cottage plan already in use in some juvenile institutions. However--a sign that the new plan was still in its infancy--Hudson also had a central prison building to which new inmates were first assigned. This contained cells much like those of the traditional prison, their doors and windows barred. That the cottage plan was still in an early stage is also indicated by the fact that whereas the prison building at Hudson could hold 150, its cottages had a capacity for only 96; the emphasis, that is, still fell on custody. Furthermore, the first cottages did not include living rooms; the notion of the cottage as a family unit was as yet nascent. Cottages built at Hudson after it opened, however, did include living rooms, and significantly, in 1897 the State Board of Charities recommended that the tiers of the prison building be removed and this space converted to dormitories.⁴² The authorities were beginning to realize that they could break entirely with the custodial model.

Like its predecessor at Hudson, the Albion reformatory had a central building with cells and outlying cottages. However, at Albion most of the

beds were located in cottages: its prison building had cells for 66, whereas the four original cottages could hold 88 inmates. Moreover, unlike the original cottages at Hudson, those at Albion did include rooms where "family" activities could be pursued. Photographs of the Albion reformatory in its early days reveal a sharp break with the penal atmosphere of the old-style prison. The interior spaces were still spartan, bleak, and uncomfortable, but they were nonetheless homelike, with flowers and tableclothes and pictures on the walls.

Administration

At first glance there appears to have been a marked difference between the ways in which Massachusetts and New York administered their new reformatories for women. In Massachusetts the ultimate authority was the Board of Commissioners of Prisons, the body which inspected all the prisons in the state. In New York, ultimate authority over the two reformatories was placed jointly in the hands of the State Board of Charities and the State Commission of Prisons, but intermediate between these two supervisory bodies and the institutions themselves were boards of managers responsible for monitoring institutional activities, appointing the superintendents, and paroling inmates. The differences between the two states are, in fact, more apparent than real. The Massachusetts Board of Commissioners for Prisons, we recall, had an Advisory Board of three women. This Advisory Board evidently served a function similar to that of the New York State boards of managers, leaving the supervision of the other state prisons to their male colleagues and themselves focusing on the women's reformatory.

Just as Albion advanced over Hudson in its architectural development of the reformatory plan, so did it advance in administrative structure; New York

learned from mistakes made at the earlier institution and corrected them when it founded the second. When Hudson opened, there was no requirement that any of the five members of its board of managers be a woman. (The first board did, in fact, include a female member, but by the early 1890s it was all male.)⁴³ That there was no representative of female interests conflicted with a key tenet of the women's reformatory movement, according to which such institutions should be managed by women because other women best understand the problems of criminal females. A law of 1895 raised the number of managers of Hudson to six and required that two must be women. When Albion was founded in 1890, the establishing legislation required that its five-member board of managers include two women.⁴⁴

For both New York reformatories, establishing legislation specified that the superintendent be a woman. The analogous Massachusetts law expressed a preference that internal operations of that state's reformatory be directed almost entirely by women, but--another reflection of the fact that the Massachusetts reformatory was one of the earliest--this law allowed for the possibility that the superintendent and treasurer be male. In fact, the first superintendents at Sherborn were all women, and there, as at Hudson and Albion, most of the other officers were female as well.⁴⁵

The character of these institutions' early superintendents helps explain a curious phenomenon: near the turn of the century, although the two New York institutions were more advanced in their development of the reformatory model, Sherborn was better known nationally and regarded as the model to be followed by other women's reformatories. Not until after the turn of the century, when Bedford opened under the direction of Katherine B. Davis, did New York become leader in the women's reformatory movement. It seems significant that at the height of its fame, Sherborn was superintended by the dynamic Ellen C. John-

son, a woman who travelled and lectured widely to advance the reformatory cause. Before Johnson became superintendent, Sherborn was run by women who were not aggressive in that role. Similarly, the early superintendents of Hudson and Albion assumed caretaker rather than proselytizing roles. They were content to stay at home at their institutions, administering but not venturing far beyond local territory. But almost from the moment that Davis became superintendent at Bedford in 1901, she attracted the national lime-light, and from that time on, Bedford was regarded as the leader in female corrections. The radical experiments in penology which were taking place women's reformatories needed publicists. Those women who were personally able to assume such roles--first Johnson in Massachusetts, later Davis in New York--became famous and drew national attention to the institutions which they managed. Other reformatories, though perhaps as innovative as Sherborn and Bedford, were for the most part ignored.

Inmates, Programs, and Discipline

What kinds of women were committed to these nineteenth century reformatories during their first few years of operation? We shall attempt to answer that question in terms of age, race, nationality, and offense type. Despite variations, the general answer is that the typical inmate in the three reformatories under consideration was a young, white, native-born woman convicted of a public order offense, very often a morals offense, for which men were not similarly punished.

Women committed to the Massachusetts reformatory were, on the average, older than their New York State counterparts, Massachusetts having placed no upper restriction on age. In this institution's first year of operation, for instance, the oldest commitment was 76 years old and the average age was 30.

The reformatory did not report on inmates' race during its early years (an omission quite possibly indicative of an exclusively white population), but it did report carefully on nationality. During the first two years of operation, more than half of the population was foreign-born (Ireland having been particularly well represented), and an even higher proportion had foreign-born parents.⁴⁶ The first year's commitments had mainly been convicted of drunkenness, prostitution, and idle and disorderly conduct. In the fifth year, the commitments were still mostly public order offenders, but by that point the proportion convicted of crimes against persons and property had begun to rise.⁴⁷

At Hudson and Albion, where commitments were restricted to women between 15 and 30 years of age, inmates were younger, the majority being under 21. They were especially youthful at Hudson: even before the legal change of 1896 lowered the commitment age from 15 to 12, the State Board of Charities reported commitments as young as 13.⁴⁸ Information on race is not available for Hudson; at Albion, few if any non-whites were admitted during the first decade, and there are indications in the institutional records that the early administrators did not even entertain the possibility that they might receive non-whites.⁴⁹ According to both institutions' annual reports, the majority of commitments in their first decades were native-born women with native-born parents. At both (again according to their annual reports), most women admitted during the first decade of operation had been convicted of public order crimes such as vagrancy, immorality, disorderly conduct, and prostitution.

All three reformatories made strenuous efforts--within the limitations of their often slim budgets--to provide programs which would train inmates to be moral and self-supporting women. Religious, academic, and vocational training were woven together in programs which emphasized conformity to gender-role

expectations, especially in terms of sexuality and domesticity. Industrial training centered around institutional chores--cooking, sewing, and cleaning--partly out of practical necessity but mostly because administrators believed that reform of female prisoners involved making them proficient in traditional womanly tasks. Ellen C. Johnson did establish an extensive farm program at Sherborn, and she planted a mulberry orchard in an abortive attempt to establish a silk industry. At Albion, too, gardening and farming were important activities in the early years. But as time went on, the agricultural emphasis at both institutions decreased. Industrial training at the two New York reformatories revolved around the cottages, and both of these institutions prided themselves on their "home-like atmosphere," a Hudson report of 1897 proudly referring to this as the reformatory's "mainspring."⁵⁰

In general, the three reformatories achieved discipline through systems of rewards and punishments. All three, of course, could reward good behavior with early parole; and we have already noted that even before parole was formalized at Sherborn, that institution developed an indenture system whereby women with good records could be released to domestic positions in local homes.⁵¹ All three also used a grading system to reward good behavior within the institution, but the New York reformatories had more resources in this line as they could promote well-behaved women to cottages and return disciplinary problems to the cells of the prison buildings.

As noted later in the chapter on Albion, discipline at that institution seems to have been excellent in the early years, inmates and staff working together with a good degree of cooperation. Credit for this success is largely due to the first superintendent, Mary K. Boyd, who strove to keep rules and punishments to a minimum and prided herself on not employing the elaborate rewards systems popular in some men's reformatories. Hudson, on the other

hand, had far more disciplinary troubles in its early years. Two years after it opened, the State Board of Charities questioned whether solitary confinement was not being used too extensively at Hudson. Though convinced that some women had to be kept in cells to preserve "good order . . . and the personal safety of . . . inmates," the SBC hoped such confinement would be used sparingly. Six years later it condemned the use at Hudson of dark cells for punishment, arguing that they were "depressing and unsanitary." According to the SBC, the dark cells were often used to punish trivial offenses, and women were sometimes held in them for weeks with no exercise and little food. In one case, it reported, the offense involved no more than "loud talking or boisterous laughter."⁵² Great variations in the quality of institutional discipline were, as we shall see, typical of early women's reformatories. The variations seem to have been a function of two key factors: the degree of crowding and, as in the case of Hudson, the extent to which the reformatory stressed minor rules.

In sum, these early northeastern reformatories incarcerated mainly young, white women who had violated expectations of womanly propriety through sexual misbehavior, drinking, or some other public order offense. The institutions aimed at elevating these women through moral and domestic training. To the end of reform, they used an array of new penological techniques, including the indeterminate sentence and parole, a new type of physical plant designed to foster domesticity, administration by other women, and programs which emphasized religious, academic, and vocational development.

By the end of the nineteenth century, the reformatory type of women's prison had been well developed in the Northeast by these three institutions. Their mutual experience and innovative efforts culminated, at the turn of the

century, in the new reformatory at Bedford, established in 1892 but not opened till 1901. Taking advantage of the wisdom accumulated by its predecessors, Bedford became the Progressive women's reformatory par excellence and the model for the six women's reformatories established elsewhere in the Northeast between 1900 and 1922. Before we turn to these twentieth century reformatories, however, we will look at a peculiar and regressive development in New York: that state's return to the custodial model with two women's prisons founded in 1893 and 1908.

New York's Return to the Custodial Model

The women's reformatories founded in the Northeast in the late nineteenth and early twentieth centuries usually held a population not previously incarcerated in state institutions--persons convicted of misdemeanors or lesser offenses. The reformatories by and large eschewed felons, the offenders traditionally considered proper subjects for institutionalization in state-run prisons. Thus even states which had established a reformatory for women still had to devise some means of dealing with women convicted of serious crimes.

Most northeastern states eventually solved this problem by combining their populations of female felons and lesser offenders at their women's reformatory. This solution, however, was antithetical to the original reformatory ideal of excluding from such institutions women whose age or offense record indicated that they were probably unreformable. In the early twentieth century, when reformers still adhered closely to this ideal, the usual solution was to keep felons in separate institutions. Most states continued to incarcerate their female felons in sections of the (predominantly male) state prisons. But New York tried another alternative: that of running separate, custodial women's prisons for felons and older misdemeanants. This alter-

native eventually proved too expensive even for New York. It did, however, prove viable for a while, particularly at the State Prison for Women which was operated at Auburn between 1893 and 1931. Less successful was the state's effort to establish a custodial women's prison at Valatie in 1908.

The State Prison for Women at Auburn

That a State Prison for Women was founded at Auburn, New York, in 1893 was the result of several factors, most importantly the build-up in local penitentiaries of populations of female felons. As we have already seen, after the old prison for women at Sing Sing was closed in 1877, there was no place but the penitentiaries in which to hold such women. But the penitentiaries lacked the resources to entirely separate women from men, a situation which created management problems and conflicted with the new penological theory that female prisoners should be isolated and supervised by other women. Just as these problems were coming to a head in the early 1890s, two developments encouraged the state to establish a women's prison at Auburn. First, the old asylum for insane criminals which adjoined the men's prison at Auburn had recently been emptied by transfer of its population to a new prison. Second, there had recently been a drop in the population of the Auburn prison for men, which was therefore not desperate for extra cell space.⁵³ It was at the old asylum--adjacent to the men's prison but separated by a wall from it--that the State Prison for Women was located.

This prison is described in detail in Chapter 7 of this report. Thus it will be dealt with here only insofar as it presents a contrast to the reformatories founded at Hudson and Albion at nearly the same time.⁵⁴

One major difference lay in restrictions on the type of prisoner who could be committed: to the Auburn prison could be sentenced any women over 16

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convicted of a felony if her term was one year or longer, and any such woman under 30 if she had previously been convicted of another felony.⁵⁵ (Most felons and women over thirty were, of course, excluded from the reformatories.) In contrast to the indeterminate sentences of the reformatories, sentences at Auburn were at first determinate, a sign of the institution's conformity to older prison traditions. After 1901, when indeterminate sentencing became the rule in New York State even for felons, Auburn women too could be released on parole. Yet their terms continued to be geared to their offenses: the principle of proportionality still applied at Auburn, in contrast to the reformatories, which had a fixed maximum for all.

In terms of physical plant and administration, there were also marked contrasts between the State Prison for Women and the two reformatories. The State Prison was located in the abandoned asylum, an aged and crumbling structure, whereas the reformatories had been built from the ground up. The Auburn cells were not stacked in tiers as at a regular men's prison, but they were cells nonetheless; there were no cottage rooms at Auburn. Ultimate authority over the Prison for Women was the Superintendent of State Prisons; the State Board of Charities, with its eleemosynary concerns, was not given a supervisory role at Auburn as at the reformatories. Nor was there a board of managers to oversee the immediate details of administration. Rather, the chief administrator was the warden of the adjacent prison for men. Daily management was handled by a matron and her assistants, but they had little autonomy; and most of the other personnel--the physician, chaplain, and clerk--were men who primarily worked on the men's side at Auburn. During the last years of operation of the State Prison for Women, there was no matron at all, administrative details being handled by Frank L. Heacox, physician of the men's prison.

Despite some similarities, there were strong differences between the characteristics of women held at Auburn and at the two reformatories. Like the reformatory inmates, the majority of Auburn women were native-born and white. But there was a higher proportion of women of color at Auburn, and the Auburn population was generally older, there being no limit on commitment age. The offenses of the Auburn women were also different: in contrast to the public order offenses of which most reformatory inmates had been convicted, violent and property crimes brought women to Auburn.⁵⁶

In program, the State Prison for Women was impoverished when compared to the reformatories (and, indeed, most prisons for men). As at the reformatories, work at Auburn centered around institutional maintenance and traditional women's tasks like sewing. But at Auburn, work was not approached as vocational training, and it was seldom supplemented by academic or recreational activities. Moreover, the sewing industries at Auburn were expected to produce revenues, and inmates were (in some years, at least) paid a small wage for their work. Discipline at Auburn was also more characteristic of men's prisons than reformatories, relatively rigid and imposed to keep order rather than to instill in inmates a sense of responsibility. For instance, the rule of silence was continued at least through 1915 at the women's prison at Auburn.

The State Prison for Women was closed in 1933--or, rather, moved to grounds attached to the Bedford reformatory. At this point, New York combined its prison and reformatory populations by placing them in geographical proximity and under the same administration. Although the two groups were kept separate, the move marked relinquishment of the original reformatory ideal of keeping reformable and unreformable criminal women completely apart.

The State Farm for Women at Valatie

New York's second attempt to establish a custodial prison at the turn of the century proved to be a failure--the State Farm for Women at Valatie opened in 1911 only to be closed four years later. The effort is of interest, however, in that it represents an attempt to develop a new type of penal institution for older females who were repeat, though minor, offenders.

Before the State Farm was established in 1908, New York had no special institution for misdemeanants over 30 years; such women continued to be sent to local jails. This population, especially repeat petty offenders such as inebriates and prostitutes, aroused the concern of the Women's Prison Association of New York, the main backer of the State Farm bill. The WPANY had little interest in rehabilitating such women, whom it considered "incapable of reformation."⁵⁷ Rather, it wished to keep them off the streets, and that for eugenic reasons. At this point in its history, the WPANY was caught up by the Progressive mania for social purification. Its members believed that women who repeatedly committed petty crimes had a "far-reaching and subversive" influence on the morals of society; that their influence penetrated homes to destroy family life; that they lured the young into houses of prostitution; and that, perhaps worst of all, the vast majority of such women were foreigners.⁵⁸ In 1905 the WPANY declared that:

If promiscuous immigration is to continue, it devolves upon the enlightened, industrious, and moral citizen, from selfish as well as from philanthropic motives, to instruct the morally defective to conform to our ways and exact from them our own high standard of morality and legitimate industry.⁵⁹

This 1905 report concluded that "It is for this purpose that our bill providing for a State Farm for Women was introduced."⁶⁰

The next year WPANY elaborated further on the theme of contamination of the American gene pool by immoral female foreigners:

Do you want immoral women to walk our streets, pollute society, endanger your households, menace the morals of your sons and daughters? . . . Do you think the women here described fit to become mothers of American citizens? Shall foreign powers generate criminals and dump them on our shores?⁶¹

For such genetic pollutants, the backers of the State Farm bill had in mind a totally indefinite sentence which would allow inmates to "remain as long as they live, within the sheltering walls of the institution."⁶²

Over the years leading up to enactment of the State Farm bill in 1908, WPANY mobilized supporters in many quarters. According to the association's report of 1907, for example, the bill had been endorsed by almost every charitable, civil, political, and religious organization in the state, and by boards of magistrates, county judges, sheriffs, district attorneys, and court and prison workers as well. That WPANY had to put so much effort into its campaign, and to mobilize such extensive support, may have been a function of lack of genuine interest in the reform they were pushing. At any rate, the legislature refused several times to endorse the State Farm bill. Its final approval came only after members of WPANY travelled to Albany to enlist the support of people "high in authority from all parts of the State."⁶³

The establishing legislation specified that the new institution should be located on fertile land and in a "healthful situation." From the start of their campaign, WPANY had argued that the best activities for State Farm women would be agricultural. Outdoor work would improve their health, and the vegetables they produced could make the farm self-supporting. Moreover, in a remote area their old criminal ties would be severed.⁶⁴ And so 315 acres were purchased near Valatie in Columbia County.

One hundred thousand dollars were appropriated to establish the institution which, it was projected, would consist of cottages, an infirmary, workhouses, and a trade school, the whole to have a capacity for 500 inmates. What in fact materialized must have been disappointing: two cottages with a combined capacity of sixty.⁶⁵ Moreover, even when these two cottages had been completed--five years after the prison's establishment--they could not be inhabited as no money was left to purchase furnishings. This barrier was overcome by more intense lobbying on the part of WPANY, and inmates did start to arrive in 1914. But they all had to be held in one cottage as the other was needed as a residence for the warden. The second cottage was eventually freed for use by inmates but the institution remained poor in space, and in personnel and programs as well. For example, because it lacked funds for staff, it had to rely on male prisoners sent from the Great Meadow and Auburn prisons for repairs and farm work.

According to the establishing legislation, all women over the age of 30 convicted of misdemeanors or lesser offenses who were not insane and had been convicted at least five times during the past two years of any offense whatsoever, might be sent to the State Farm.⁶⁶ Amendments of 1918 evidently made it possible to commit to Valatie some women with no priors: these provided that females over 16 convicted in the city of New York of public intoxication, disorderly conduct, vagrancy, or of frequenting disorderly houses or houses of prostitution, could also be sent to the State Farm.⁶⁷ All sentences were indeterminate with a maximum of three years, the WPANY having failed to realize its eugenic goal of totally indefinite sentencing.⁶⁸

Ultimate authority over the State Farm was lodged with the Superintendent of State Prisons. As at Auburn, there was no intermediate body analogous to the boards of managers which supervised reformatory operations. Rather, the

superintendent of State Prisons was authorized to appoint the institutional officers, including a warden, keepers, matrons, and a female superintendent of agriculture. The WPANY realized that a board of managers would provide support for the faltering institution and in 1916 tried to persuade the legislature to authorize one. This effort failed, however, and WPANY itself had to act as the prison's parental body, albeit an unofficial one.⁶⁹

The founding legislation stipulated that all officers of the State Farm were to be women except in cases where "the nature of the work . . . necessitates employment of men."⁷⁰ Apparently Governor Dix felt that administration was one of these exceptions, for he appointed a man, John H. Mealey, to be the State Farm's warden. Mealey served from 1912 (arriving on the scene before the State Farm opened) to 1916. He seems to have had his doubts about the institution and to have done little to further its cause.⁷¹ In 1916, Mealey was replaced by Jane L. Armstrong, a woman who had served on the board of managers of the Western House of Refuge and as a probation officer. She served until the institution's ignominious demise.

Courts did not commit enthusiastically to Valatie, as Table 2:1 indicates:

TABLE 2:1

COMMITMENTS TO AND POPULATION OF STATE FARM FOR WOMEN, 1915-1918

	<u>Commitments</u>	<u>Population on September 30</u>
1915	79	66
1916	33	75
1917	26	87
1918	8	30
Total	146	

SOURCE: New York State Commission of Prisons, AR 1918:330, 332.

NOTE: The first inmates arrived on 1 October 1914, but as the 1915 data include all women committed over the fiscal year 1 October 1914 to 30 September 1915, the table's total of 146 represents all the women committed to the State Farm.

Most of these women were between 30 and 60 years of age at commitment, but the age range in 1915 went to 76 years. During the first three years of operation, most of the inmates were white and native-born.⁷² Ninety-seven percent of the first three years' commitments had been convicted of intoxication; perhaps because young women were excluded from the prison, the prostitutes anticipated by WPANY never materialized.⁷³ State Farm inmates often lived in crowded conditions: the institution's capacity was 60 but, as Table 2:1 indicates, in September of 1917 the Farm held 87 inmates. Insofar as they had any employment whatsoever, the women worked at farming and sewing. There was almost no staff to supervise them, no physician, no chaplain. In 1917, warden Armstrong complained that there was no money for books or entertainment. It must have been a bleak existence for the aging inebriates held at the State Farm, and some tried to improve it: in 1917, seventeen attempted to escape, three succeeding.⁷⁴

Several factors fed into the institution's failure. Not long after it opened, the country went to war; funds and attention were diverted by more pressing concerns. At the same time, Progressive energy for social reform and institutionalization began to subside. Enactment of Prohibition and of immigration restriction laws may have quieted some of the fears which inspired WPANY to found the State Farm. The most immediate cause of the institution's failure was lack of funds. Counties would not commit women because they could not afford to transport them to Valatie. At one point, the prison could not release parolees because it did not have funds to return them to their homes. The WPANY assumed both costs for a while, but it could not do so indefinitely.⁷⁵

And so in 1918, the State Farm was turned over to the Department of Health to be used as a treatment center for women with venereal diseases. All remaining inmates were summarily paroled. In 1919, the war's end having

alleviated concern that soldiers might be infected by venereal disease, the institution was returned to the Superintendent of State Prisons. There was some discussion of designating Valatie as an institution for mentally defective women from Bedford, a proposal endorsed by WPANY. This plan did not materialize, however, and in 1920 Valatie again passed out of the hands of the Superintendent of State Prisons to become a residence for mentally defective children.⁷⁶

The State Farm was a poorly conceived, badly planned, and inadequately funded institution. Basically custodial in intent and design, it attempted to graft some aspects of the reformatory (cottages, countryside location) on to the custodial model; but the mix was unsuccessful. The original concept of the State Farm as a prison where female misdemeanants could be held indefinitely was, in fact, the reductio ad absurdum of Progressive idealism, for it completely disregarded the principle of proportionality and naively assumed that the state could afford to incarcerate relatively harmless offenders for long periods. That the State Prison for Women at Auburn fared better was no doubt a function of the fact that its inmates were convicted of crimes which demanded a state response.

Reformatories of the Progressive Period

Seven women's reformatories were opened in the Northeast early in the twentieth century (Table 2:2). Three of these--the reformatory at Bedford, New York, and those of New Jersey and Connecticut--were at first outstanding institutions of their type, highly successful realizations of the ideals of Progressive penologists. Two others, those of Vermont and Rhode Island, just barely qualify as reformatories, their states having failed to establish full-fledged institutions of this kind.⁷⁷ The last two, those of Pennsylvania and

Maine, achieved success midway between the two extremes, realizing the goals of the reformatory movement but without great distinction. In what follows, these seven institutions are analyzed as a group.

TABLE 2:2
WOMEN'S REFORMATORIES OPENED IN THE NORTHEAST, 1901-1925

	Original Name	Location	Date Es- tablished	Date Opened
New York	Reformatory for Women	Bedford	1892	1901
New Jersey	Reformatory for Women	Clinton	1910	1913
Pennsylvania	State Industrial Home for Women	Muncy	1913	1920
Maine	State Reformatory for Women	Skowhegan	1915	1916
Connecticut	State Farm for Women	Niantic	1917	1918
Vermont	State Prison and House of Correction for Women	Rutland	1921	1921
Rhode Island	Reformatory for Women	Cranston	1922	1925

Establishment

Before establishing their reformatories, these seven states held female prisoners at a variety of scattered sites. Serious offenders were held at the states' maximum security prisons--in New Jersey at the Trenton State Prison, in Pennsylvania at the Eastern and Western Penitentiaries, in Connecticut at the Wethersfield State Prison, and so on. Minor offenders were held in local jails and, in New York, at the Hudson and Albion reformatories as well. Several of these states also had intermediate-level penal institutions--local penitentiaries or houses of correction--where women were held if their crimes were of neither great nor minor magnitude. All three types of arrangement

seemed unsatisfactory to those most closely concerned with the care of women prisoners. Incarceration of females in mainly-male institutions led to management problems and, occasionally, scandals; it generally spelled inferior treatment of the women (just as it does today in mixed-sex jails); and it meant that the women were occupying space which wardens often needed for male prisoners. Furthermore, it seemed inefficient to have women prisoners thus scattered about the state. If these female populations were consolidated, argued reformers, the women could be held separately, treated better, and their work organized more productively.

Four of the seven states experienced a very early wave of agitation for a female reformatory, shortly after articulation of new penological principles by the 1870 prison congress. Although it was a harbinger of twentieth century developments, this wave subsided without issue in all but one of the four states. In New York alone, among the states under consideration here,⁷⁸ did this early surge of concern about women prisoners produce nineteenth century results (the reformatories at Hudson and Albion). In two states it was deflected by other reforms: in New Jersey, by appointment of a very capable matron who improved conditions for female felons held at the Trenton State Prison; in Connecticut, by establishment of an institution for a more "hopeful" type of offender, the delinquent girl.⁷⁹ A nineteenth century women's reformatory movement in Rhode Island similarly failed to found an institution. It did, however, achieve a result which proved crucial to that state's reformatory movement in the long run: establishment in the early 1870s of an Advisory Board of Visitors to institutions which incarcerated females. This Advisory Board, by law consisting of "seven competent women," continued to campaign for the cause. Over the years its members gained a good deal of political sophistication and developed support for the reform they advocated. Through this Board, the Rhode Island movement eventually achieved success.⁸⁰

In New Jersey and Connecticut, too, the early reformatory movement did not die out despite initial lack of success; it merely went dormant for a while.

In six of the seven states,⁸¹ the agitation which led to establishment of a women's reformatory was led by women operating from power bases within charitable organizations. (We observed a similar pattern earlier in connection with the nineteenth century establishment of reformatories in Massachusetts and New York.) Abby Hopper Gibbons and Josephine Shaw Lowell were the New York leaders through whose efforts the Bedford reformatory was founded. Gibbons was President of the Women's Prison Association of New York, the organization which had long been concerned about the treatment of the state's women prisoners. In 1892, at the age of 91, Gibbons travelled to Albany to persuade legislators of the need for a New York City-area women's reformatory, and the bill passed in the Assembly with a 90 to 0 vote. (Hopper died the next year. Her last words to Alice Sandford, who became a member of the Bedford Board of Managers, were "Be sure, Alice, thee makes it a Reformatory and not a Prison.")⁸² Lowell by this time was the grand dame of many New York State reform movements. Her efforts on behalf of Bedford included the important work of educating others about the aims and nature of women's reformatories and selecting an outstanding woman to be the institution's first superintendent. As a member of the Bedford Board of Managers, she also shepherded the new institution through some early difficulties.⁸³

The outstanding woman in the New Jersey movement was Caroline Bayard Alexander, a member of the Women's Reformatory Commission which, in 1903 and 1904, recommended establishment of a reformatory in New Jersey.⁸⁴ Alexander continued to mobilize supporters until the bill finally passed in 1910. (Her son was the State Assemblyman who introduced the bill which finally became law.)⁸⁵ Like Lowell in New York, Alexander offered moral, political, and

financial support to the New Jersey reformatory during its early years. In Maine, the leader of the reformatory movement was the president of the WCTU, Mrs. L. M. Stevens. Rhode Island's efforts were spearheaded by the all-female Advisory Board of Visitors and those of Connecticut by the militant, all-female Committee on Delinquent Women of the Connecticut Prison Association.

These leaders were aided in their campaigns by other women who were already superintendents of female institutions. Most prominent were Martha P. Falconer, head of the Sleighton Farm institution for girls in Pennsylvania; Katherine Bement Davis, the first head of the Bedford, New York, reformatory; and Jessie D. Hodder, superintendent of the Massachusetts reformatory in the early twentieth century. Travelling, speech-making, using their influence behind the scenes, these superintendents helped persuade doubters in other states that women's reformatories, run by women, were not only possible but necessary.

Leaders of the reformatory movement within the states usually received further support from a loose federation of private and public philanthropic organizations, typically the state's board of charities, State Charities Aid Association, prison association, and Federation of Women's Clubs, joined in several instances by the local WCTU. In at least two cases, those of Connecticut and Rhode Island, lobbying for the reformatory bill took tremendous organization and energy. The efforts of the Connecticut Committee on Delinquent Women included raising \$1,500 to support their campaign and organizing support groups in 84 towns. The Committee on Delinquent Women also organized a mass rally, led by ex-President William H. Taft, which greeted the returning General Assembly in 1917. It coordinated testimony so skillfully at the final hearing on the bill that the reluctant Connecticut legislators had no alternative but to acquiesce.⁸⁶ Similarly in Rhode Island, legislators at one point

received petitions for a women's reformatory from hundreds of individuals and 91 organizations claiming to represent 7,000 members.⁸⁷

Vermont provides an exception to the process whereby, in other states, reformatories were established through mobilization of public opinion. There seems to have been no women's reformatory movement at all in Vermont. Rather, that state established its reformatory in 1921 as a bureaucratic solution to the need to improve conditions at the state prison at Windsor, where, in the early twentieth century, women were confined on the third story of a central building. This area was cramped, a fire-hazard, and unsanitary in the extreme. Until 1919, Vermont held its serious female offenders in this spot, sending less serious offenders to the House of Correction at Rutland, where they also were mixed with men. In 1919 the legislature decided to consolidate the two operations by closing down the Rutland institution and transferring all its inhabitants to Windsor. The legislature appropriated \$25,000 for construction of a new building for the women at Windsor, but this never materialized. And so in 1921 all the women were transferred back to Rutland, where a State Prison and House of Correction for Women was established in the previously abandoned but now renovated House of Correction. (Correspondingly, male misdemeanants and felons were now consolidated at Windsor.) That part of the Rutland institution designated as a House of Correction for Women, though operated as a reformatory, was thus established for administrative reasons rather than in response to public demand for reformatory care for women.⁸⁸

Lobbyists for women's reformatories in the various northeastern states put forth very similar arguments. Many of these echoed the principles endorsed by the 1870 prison congress: Reformation of criminal women requires an approach entirely different from that used with men; this approach necessitates not only separate institutions but also female staff, indeterminate

sentences, and grading. Other arguments flowed from disapproval of conditions women were forced to endure in state prisons, penitentiaries, and local jails--especially the latter. To these two main lines of argument, some lobbyists added a third: establishment of a new institution for women would in fact save the state money. It would reform and thus reduce the number of repeaters, according to the cost-effectiveness argument in New Jersey; it would locate all female offenders in one spot where they could then work productively and earn money for the state, according to money-conscious Pennsylvanians.⁸⁹ A fourth and unique argument came from the Maine State Board of Charities and Correction. It backed a women's reformatory partly on the ground that because there was no adequate place to send criminal women, judges were giving suspended sentences to or dismissing charges against the great majority of females who came before them.⁹⁰ In most states, lobbyists combined several of these arguments. Through reiteration, the points became familiar and were received with ever-lessening resistance.

Selection of the sites on which these northeastern reformatories were located was governed by a number of factors, most commonly the desire for a rural location in combination with convenience. The legislation which established the Bedford reformatory stipulated that the new institution should be located near New York City, whence the preponderance of women offenders. Proximity to the Harlem railroad favored selection of the particular site at Bedford Station. In Maine, too, site selection was affected by proximity to a railroad. The theory that fresh air and exercise were curative, in tandem with a desire to hold women in rural areas "where the temptation to dissipation is remote," led site selectors in Connecticut and New Jersey to purchase isolated tracts of farmland. The legislation establishing the Pennsylvania Industrial Home instructed the building commission to find land in the center

of the state, near a railroad, between 100 and 500 acres in extent, and cultivatable; the commission came up with a suitable parcel near Muncy.⁹¹

In Vermont and Rhode Island, neither geography nor penology but rather thrift dictated selection of sites for the women's reformatories; instead of building new institutions, both of these states converted old ones. In Vermont, as we have already seen, a reformatory for women was created by renovating the old institution at Rutland. Rhode Island was even more efficient: it merely changed the name of its old House of Correction at Cranston, where female offenders had been held since the late nineteenth century, to the Rhode Island State Reformatory for Women.⁹² (As might be expected, this institution was a reformatory more in name than practice.) These two states, however, were exceptions. Most northeastern states, when they founded their reformatories, spent freely to purchase sites which, according to the new penology, would help cure female offenders of their criminal tendencies.

Commitment and Sentencing Provisions

The Massachusetts reformatory, as observed earlier, placed no age restrictions on commitments, and after 1907 it took felons as well as misdemeanants. The two New York reformatories opened later in the nineteenth century were more restrictive, limiting their populations to women under thirty who had been convicted of misdemeanors. The trend toward narrowing commitment restrictions was short-lived, however, for all seven of the northeastern reformatories which opened in the early twentieth century took felons and only two excluded women over thirty. That these twentieth century reformatories were enabled to receive heterogeneous commitments was in part, perhaps, a result of experience: female administrators (and the legislators who relegated authority to them) may now have felt more confident that they could cope

with older and more serious offenders. As it turned out, however, the reformatories of the Northeast mainly received minor morals offenders during their early years of operation.

All seven of the institutions under consideration set a lower age limit of 16 or 17 years, thus excluding children. Of the seven, only Bedford and the Pennsylvania reformatory set an upper age limit, at 30 years, and Pennsylvania removed this age cap in 1925.⁹³ Nearly all of the reformatories could take any adult female convicted of a misdemeanor or felony. Bedford had a few restrictions: it could not receive misdemeanants from the western part of the state (who went to Albion), nor could it receive felons if they had a prior felony conviction or had been convicted of murder, manslaughter, burglary, or arson.⁹⁴ Clinton Farms (as the New Jersey reformatory was known) also hedged a bit at first on felony commitments: felons other than those convicted of murder could be committed to the reformatory, but this was discretionary. Until 1929 the state prison at Trenton maintained a unit for women convicted of murder or who were transferred there, for disciplinary reasons, from Clinton. In other words, the women's unit at Trenton served as a back-up institution for Clinton Farms in the early years when the reformatory still viewed itself as an institution from which unredeemable cases should be excluded.⁹⁵ Similarly, Connecticut's reformatory could receive felons from the start, but the state maintained its maximum security unit for women at the Wethersfield state prison until 1930.⁹⁶

Perhaps the most striking aspect of the reformatory commitment laws was that they also permitted most of these institutions to receive offenders other than misdemeanants and felons. Unmarried women found to be in "manifest danger of falling into habits of vice" could be committed to the Connecticut State Farm at Niantic, for example, and during World War I, "in an attempt to

remove the diseased women from the vicinity of the army and naval bases," Niantic also received women with venereal diseases.⁹⁷ Bedford could receive women "in danger of becoming morally depraved" as well as those convicted of a host of other petty morals offenses. Indeed, during its first decade of operation this reformatory received mainly women convicted of offenses less serious than misdemeanors. Maine's reformatory, too, concentrated heavily on minor sex offenders during its early years.⁹⁸ This concentration, in fact, seems to have been the rule for northeastern reformatories during their first ten years. Two states received yet another category of female offender in addition to less-than-misdemeanants, misdemeanants, and state felons: until the first federal prison for women opened in 1929, federal prisoners were held in the women's institutions of Vermont and Rhode Island.

Least restrictive of all the northeastern reformatories in terms of commitments was that of Rhode Island, which took all women who previously would have been sent to the Providence County Jail, the State House of Correction, or the State Prison. It also held girls "who [did] not seem to fit into" the State School for girls; witnesses and pretrial detainees; and, as just mentioned, federal prisoners until 1929.⁹⁹

There was, then, considerable variation in the types of offenders who could be received by these reformatories. From the welter of variations, however, a general rule emerges. Those institutions which, in their early years, adhered most closely to the ideals of the women's reformatory movement were most restrictive in the types of offenders with whom they actually dealt, focusing on the morals offenders who seemed most susceptible to treatment. The reformatories which adhered least closely to the reformatory model, on the other hand, were likely to open their gates to other offender types.

Indeterminate sentencing and parole having been central to reformatory theory, it is not surprising to find that establishment of all but one of these northeastern reformatories was accompanied by an indeterminate sentencing provision.¹⁰⁰ Where to set the maximum became a complicated issue, however, for these new institutions took felons as well as lesser offenders. Bedford came up with the simplest solution, setting a three year maximum for all. Pennsylvania and Connecticut also set a three year lid on terms, but in these two states, if law specified a higher maximum for the particular offense, the offender could be held longer. Maine added a wrinkle by setting an outer limit of three years for misdemeanants and of five years for felons, unless the crime could be punished by a sentence of more than five years, in which case the offender could be held for the longer term. In New Jersey and Vermont, the maximum was set by the law governing the particular conviction offense.¹⁰¹

Rhode Island was regressive in sentencing, retaining the old-fashioned determinate sentence even after it converted its house of correction to a reformatory. The determinate sentence, combined with the fact that most prisoners at the Rhode Island State Reformatory for Women were petty offenders serving brief terms, made for a rapid turnover and left no time for implementation of reformational programs, even if these had existed. The governor resisted the conversion to indeterminate sentencing, and a decade after the reformatory opened, the great majority of its inmates were still serving terms under one year, some of them periods as short as five days.¹⁰²

The fact that misdemeanants and more minor offenders served the shortest terms in Rhode Island, the state whose reformatory was most custodial in orientation, points to an important conclusion about the reformatories and their sentencing structures. Their sentencing provisions, in combination with

their commitment laws, meant that female offenders (including some felons) were now likely to serve more time than previously, and to serve it in a state prison. This was particularly true in those states which did not allow sentence to be determined by offense severity but rather established indeterminate sentences with no minimum and a maximum of three or five years. Before the reformatories were opened, female misdemeanants and petty offenders served, at most, brief terms in local penal institutions. Their terms, moreover, were not explicitly different than those for which male misdemeanants and petty offenders were liable.¹⁰³ But with the opening of the reformatories, such women could be held longer than previously and longer than their male counterparts. It should also be noted that with the opening of reformatories, women began to be arrested and institutionally treated for minor sexual offenses like fornication which were probably often disregarded in earlier years. To institutionalize the double standard (that is, to give special treatment to what was considered the weaker sex, especially when sexual transgressions were involved) and to hold women for longer terms were, of course, among the main aims of those who worked to establish women's reformatories.

Physical Plants

As we have seen, the "cottage plan" was first adopted for adult use by the nineteenth century reformatories at Hudson and Albion. Five more northeastern reformatories were built on this plan in the early twentieth century, making it the architectural norm for this region. Two of these--the reformatories at Bedford, New York, and Muncy, Pennsylvania--were built from the ground up and were nearly completed when the first inmates arrived. The other three were started in former farm buildings, the cottages and central adminis-

tration buildings being added later. (These three, for reasons to be explored in a moment, best realized the reformatory movement's aim of individualized treatment.) The two twentieth century reformatories which did not conform to the cottage plan were, of course, those of Vermont and Rhode Island, the states which did not build new institutions but merely converted former houses of correction.

The Bedford reformatory, built on a tract of 107 acres, was architecturally transitional--so transitional, in fact, that it was redesigned just before opening. The original plan was for four cottages for about thirty inmates each and a large "dormitory" with cells for 144; the plan, in other words, called for more cells than cottage rooms. But after two years of construction, the Board of Charities began to regret "the undue preponderance of the punitive over the reformatory idea," and a year later the Board of Managers requested funds for "altering prison building into cottage [sic], taking out cells." The board expressed embarrassment at having to recommend this expensive change but noted that many advances had been made in penology since construction was begun in 1893. (One of these, perhaps, was that female administrators had become more confident in their ability to control prisoners without bars and other trappings of security.) The change was made before Bedford opened in 1901, at a cost of \$50,000.¹⁰⁴

The State Industrial Home for Women at Muncy, Pennsylvania, covered even more ground--535 acres. Like Bedford, it had a central building and outlying cottages, all built from scratch. Muncy too demanded a large financial commitment from the state (the original appropriation was for \$350,000), and as at Bedford, there was a lengthy gap between the institution's establishment and its opening due to the construction.¹⁰⁵

The reformatories of New Jersey, Maine, and Connecticut were also established on extensive tracts (that of Connecticut had 700 acres, including a lake, three farms, and a woods). Unlike Bedford and Muncy, though, these three were built slowly and after the institutions had opened; the first inmates were held in converted farmhouses in which were also located staff quarters and administrative offices. That staff and inmates lived and worked together in the early days of these institutions, laboring to create something new and facing common hardships, fostered a spirit of camaraderie, especially at Clinton Farms and Niantic.¹⁰⁶ The first superintendent of Clinton Farms, the young and energetic May Caughey, tried to keep rules to a minimum and to encourage mutual respect. In her first annual report she wrote:

Perhaps the first days of this institution were the happiest we have ever had. . . . There was an enormous amount of work to do and very few people to do it. Everyone was so busy getting the house and grounds cleaned up, that we found no necessity for rules of any kind. There was a splendid spirit of responsibility and cooperation which made both officers and girls enjoy any kind of work--for example, when we all pitched in together and scrubbed and shellacked a large floor in one afternoon.¹⁰⁷

This spirit wore off after routines were established and construction was completed on more institutional buildings. But it is noteworthy that some of the least finished reformatories were those which, in their early periods, best realized the reformatory movement's ideal of approaching inmates as individuals.

The cottage plan could not be adopted in Vermont and Rhode Island, states which established their reformatories in former houses of correction. There living quarters and routines were more custodial. The Rutland institution

consisted of an open dormitory on the top floor with cells below. It had no land. The nature of the plant of the Rhode Island State Reformatory for Women is more difficult to determine. There had been plans for remodeling so that witnesses and pretrial detainees could be separated from convicted criminals and the female convicts in general could enjoy the advantages of a hospital, "neat, attractive little rooms," and a chapel. Some reports dating from the first years of this reformatory do refer to a hospital, dormitories (not "rooms," but also not cells), a chapel, and even a garden within the walls.¹⁰⁸ But in 1928, three years after the Rhode Island reformatory opened, an investigatory committee's report indicated that the majority of the remodeling plans had not been realized. According to this Committee, in the "main building, . . . built some fifty-four years ago," were "two tiers of old-fashioned cells, those below used for confinement in punishment cases, those above affording the only means of actually segregating women with venereal disease in the infectious stage. The only toilet facilities," the report continued, "are the buckets,--relics of the dark ages in prison history." Recommendations had indeed been made that the women be provided with an infirmary and separate rooms, but these had been "ignored or passed over with deplorable results." Such conditions were precisely those which the women's reformatory movement sought to overcome.¹⁰⁹

Largely because the cottage plan was adopted so extensively in the Northeast, this architectural arrangement became associated with women's prisons. By the early twentieth century it had become the norm in the Northeast and the model which states of other regions emulated. So closely did women's prisons become associated with unwallied campuses and cottage living units that even today, it is sometimes assumed that all women's prisons are of this type.¹¹⁰ The powerful image obscures that fact that women were also held in institu-

tions of the custodial type such as the reformatories of Vermont and Rhode Island and the older prisons at Auburn and Sing Sing.

Administration

The seven reformatories under consideration here typically had a three-tiered administration. At top was a body charged with control of state institutions. Frequently these were boards of charities, not prison boards, a reflection of the common belief that female criminals needed help more than punishment. Intermediate in the hierarchy were the boards of managers of the institutions themselves. The managers (sometimes called "directors" or "trustees") usually were appointed by the governor and served without recompense. Most states required that a minority of the board of managers be women. The managers appointed the superintendent, made parole decisions, and were supposed to oversee the daily workings of the institution. Their role was an important one, particularly in that they could check the power of the superintendents. When reformatories ran into trouble--when there was a scandal about abusive punishments, for example, or widespread staff discontent--it was usually in cases where the board of managers had grown lax in performance of their duties.¹¹¹

Two of the reformatories we are dealing with here did not have boards of managers. Predictably, these were the institutions in Vermont and Rhode Island. Custodial in orientation, these two reformatories were viewed merely as parts of their states' prison systems.

At the bottom rung of the administrative hierarchy was the superintendent, charged with internal management of the institution and its staff. Most of the seven states required that the superintendent be female and that her staff consist, whenever possible, of women. (Male staff members were, in

fact, kept to a minimum by these reformatories, being hired mainly as farm managers, repairmen, and supplemental guards.)

Several of these early twentieth century reformatories had highly capable superintendents, the most famous being Katherine Bement Davis of Bedford, the outstanding penologist of her day. Davis was forty-one when she came to Bedford. A Vassar graduate, she also held a doctorate in political economy from the University of Chicago.¹¹² Like others among the original officers of Bedford, Davis was chosen from a list generated by a civil service exam. Members of the board of managers--especially Josephine S. Lowell--had taken steps to persuade qualified women to take the exam; and Lowell chose Davis from among them. Davis served as superintendent until, in 1913, she became Commissioner of Correction of New York City. Sharing Lowell's eugenics theories, she did much to develop the eugenical "feeble-mindedness" theory of criminal behavior which became popular in the century's second decade, and she did much to promote penology as a "science." Davis also introduced classification based on mental testing into prison management. Under her direction, Bedford became the prison which most thoroughly incorporated the medical model of penology, according to which the criminal is sick and in need of either treatment or lifelong care.¹¹³

Two of the reformatories, those of New Jersey and Connecticut, were troubled in their early years by conflicts between able superintendents and strong-minded women on the boards of managers. In the case of New Jersey, the conflict developed between May Caughey, the liberal young superintendent, and Caroline Wittpenn (the former Mrs. Alexander). Mrs. Wittpenn had led the reformatory campaign in New Jersey. She served as a manager of the reformatory and later became a member of the institution's ultimate supervisory body, the New Jersey State Board of Control. Caughey's resignation has been attri-

buted to her weariness with interference from Mrs. Wittpenn.¹¹⁴ Before she left, however, she created at Clinton Farms the innovative, open atmosphere often observed by visitors in its early years.¹¹⁵

A similar story was played out in Connecticut. Initially, the Connecticut State Farm for Women had difficulty finding a suitable head, but after eighteen months of acting superintendents, early in 1920 it hired Anna M. Peterson, formerly superintendent of the Girls' Industrial School in Virginia. Peterson resigned in April of 1923 after a protracted struggle with board member Helen W. Rogers, a woman who had been much involved in the campaign to found the institution and who thus felt entitled, as did Mrs. Wittpenn in New Jersey, to voice opinions about management.¹¹⁶

Three years later the Niantic superintendency was assumed by Elizabeth Munger and the administration was finally stabilized. Munger did much to individualize treatment, developed a classification system which was used for decades, and brought in professional staff from out of state. She was also active outside the reformatory, attending national and international prison congresses. Though less well known than Katherine B. Davis, Elizabeth Munger was one of the most competent prison administrators of her day.¹¹⁷

The Pennsylvania reformatory, like that of Connecticut, at first experienced difficulty in finding a suitable superintendent. During the first eight months of operation, three superintendents came and went, "manifestly unable to hew an orderly plan out of the rough material presented," according to the Pennsylvania Prison Society. But in July of 1921, Miss Franklin R. Wilson became superintendent. Wilson had prior experience as a teacher and as head of girls' schools in Kansas and Missouri. She was superintendent at Muncy for many years, and, again according to the Pennsylvania Prison Society, "Probably nothing less than her combined qualities of robust vigor, common sense, and

open-mindedness could have brought the present wholesome order out of the chaotic insubordination she found."¹¹⁸

One of the most backward institutions, the Vermont State Prison and House of Correction for Women, had one of the strongest superintendents. From its opening in 1921 until her death in 1936, the Rutland institution was headed by Lena Ross, a woman whose Progressive spirit enabled her to run a remarkably humane institution despite almost insuperable odds. Her difficulties included the outmoded facility, the heterogeneous population, and understaffing. Furthermore, in 1933 the legislature degraded her title from that of Superintendent to Matron, leading the Department of Public Welfare to observe acidly that "all other states give the heads of their institutions the title of Superintendent. It [the change] places your Superintendent outside the circle, and bans her from professional clubs." But Ross continued to act on her correctional philosophy, which she articulated near the end of her career in these words: "Prisons do not need bars, nor walls, nor cells. All they need is good, sound common sense and sympathetic understanding of human nature." This was a good summary of the penology which shaped many women's reformatories in their early days.¹¹⁹

Reformatory Inmates

On the basis of data reported by these seven northeastern reformatories during their first decade of operation, we can piece together a portrait of the typical inmate: she was young, white, native-born, and committed for a sexual impropriety of some sort. These four dimensions of age, race, nationality, and offense are explored in more detail in what follows.

Age

In the case of some of the reformatories, the age of inmates at commitment was determined in part by legal restrictions. For instance, at Bedford, which excluded women over 30, more than half of the inmates were under 21 during that prison's first decade. On the other hand, at Clinton Farms, which had no age restriction, the population was somewhat older. But several institutions developed norms which were somewhat independent of their formal commitment laws. Pennsylvania, for example, had an age restriction of 30 years until 1925, but even thereafter, commitments tended to be young. (In 1928, for instance, of 126 commitments, 43 percent were under 20 and another 21 percent between 20 and 30 years; only 10 were older than 40.) The majority of inmates of the reformatories in Connecticut and Maine were under 21, those institutions concentrating on cases of sexual immorality. Vermont data bear out the impression that reformatories focused their attention on quite young women: inmates held in the prison department of the Vermont institution tended to be older (the majority were between 20 and 30 years in the 1920s) than inmates in the reformatory department (the majority of whom were under 20 in the 1920s).¹²⁰

To generalize about the characteristics of offenders held at the Rhode Island reformatory is complicated because statistics on federal prisoners (mainly drug cases) were combined with those on state prisoners in the institution's reports until the federal reformatory at Alderson, West Virginia, opened in 1929. Before 1929, the majority of the Rhode Island inmates were between 30 and 40; thereafter the modal age bracket became 20 to 30 years. Even these data, however, support the generalization that reformatory women tended to be young.¹²¹

Race

The racial composition of these reformatories in their early years was influenced by the racial composition of the state as a whole but even more by informal restrictions on the type of offenders the institutions received. Reformatories which dedicated themselves to retraining morals offenders were often almost exclusively white. Courts evidently hesitated to send to such institutions women whose color suggested that they might not respond well to improving influences.¹²² On the other hand, reformatories which received women convicted of crimes against property and persons tended to have sizeable proportions of blacks, proportions higher than that of blacks in the general population of the state. According to a 1910 study by Katherine B. Davis of the first 1,000 commitments to Bedford, 18 percent had been non-white; in contrast, less than 2 percent of New York's general population was non-white during that decade. Similarly, the New Jersey reformatory reported that 13 percent of its population was colored in 1920, 20 percent in 1930, figures which compare with 4 and 5 percent black for the total New Jersey population for those same years.¹²³ In Pennsylvania, about 12 percent of the reformatory population was black during the institution's first decade. As for Rhode Island, its reformatory population was predominantly white but included high proportions of blacks (nearly 50 percent in 1926-1927) until the federal prisoners were removed. It should be noted that most (and probably all) of these institutions practiced segregation for many years, holding non-whites in separate cottages or wings and keeping them apart for most activities as well.¹²⁴

Nationality

Definitional problems make it difficult to generalize about the nationality of women in the early reformatory populations. Some institutions reported statistics on two categories, "native-born" and "foreign-born." Others took into consideration the parents' place of birth, and some attempted to distinguish between women who had one or both parents foreign-born. Yet a further difficulty in determining "nationality" stems from the fact that even reliable data cannot be useful unless we have comparable data on the composition of the state's population as a whole.

The most that can be said here is that in these seven northeastern reformatories during their early years, the majority of inmates were native-born but large proportions had either been born abroad or born in this country of foreign-born parents. For example, of 126 women received by the Pennsylvania reformatory in 1928, nearly one-quarter were reported as foreign-born. According to Davis's study of the first 1,000 women committed to Bedford, 29 percent had been foreign-born. (Moreover, only 36 percent had two native-born parents, and of these, two-fifths were non-whites.)¹²⁵ It is possible that those reformatories which interested themselves mainly in morals offenders took in disproportionate numbers of foreign-born women or women with foreign ancestry—that is, women whose cultural characteristics may have contributed to a perception of them as deviant. At the moment, however, there is not enough reliable data to confirm this hypothesis.

Commitment Offenses

It is easier to generalize about the commitment offenses of the early inmates of these reformatories: even in institutions which could receive felons as well as misdemeanants, the majority of women served time for minor

morals offenses, mainly sexual in nature. According to Davis's study of the first 1,000 Bedford commitments, a little over half were convicted of offenses other than misdemeanors or felonies. "Other offenses," Davis explained, means common prostitute, frequenting disorderly houses and in danger of becoming morally depraved, habitual drunkards, soliciting on the public streets, etc. It should be said that out of the one thousand the number of those who have led sexually regular lives is almost negligible.¹²⁶

New Jersey inmates of the first decade were mainly convicted of prostitution, adultery, bigamy, and other sex offenses. Observers in Pennsylvania were impressed with the heterogeneity of the Muncy population, reporting in 1925 that "Among the 100 inmates . . . are offenders of all grades—from homicides, brigands and robbers, to petty thieves, prostitutes and incorrigibles." The latter, however, were far more numerous.¹²⁷ Similarly, the women first held in Maine's reformatory had nearly all been convicted of breaches of sexual morality such as fornication, wanton and lascivious behavior, and adultery. Of 102 women committed to this institution in a two-year period between 1920 and 1922, less than 10 percent were convicted of other-than-morals offenses. (The records of this institution even mention one case in which the inmate was an incest victim. She had been institutionalized because authorities considered her to be in need of protection and moral training.) In Connecticut, after a brief initial period of concentration on alcoholics, the reformatory turned its attention to morals offenders—incorrigible girls, pregnant but unmarried women, the venereally diseased, and women convicted of "lascivious carriage."

The picture of conviction offenses differs somewhat for the reformatories of Vermont and Rhode Island, the two states which took federal prisoners. In

both, most federal prisoners were violators of the Harrison Act. But women committed directly by the states' courts were convicted of offenses similar to those of reformatory inmates in other states. Women sent to the prison department in Vermont were most frequently convicted of adultery, those sent to the reformatory department of liquor law violations. Similarly, women committed to the Rhode Island institution by the state's courts tended to have been convicted of offenses like lewdness, disorderly conduct, drunkenness, and prostitution.¹²⁹

These data bear out the contention that the reformatories institutionalized the double standard. They mainly held women convicted of minor morals offenses, often offenses which did not even rise to the level of misdemeanors and certainly offenses for which men were not sent to state penal institutions on indeterminate sentences of a number of years.

Classification and Program

Prisoner classification, perhaps the most widely endorsed aspect of Progressive penology, was developed most thoroughly in some of these early women's reformatories. While they were new and their populations still small, their administrators frequently made great efforts to determine the individual causes of crime, to individualize treatment, and to group inmates in ways which would maximize potentials for reform. That such goals were best realized in women's reformatories was in part a function of their physical designs. Typically, as we have seen, there was a central, high security building supplemented by outlying cottages. New commitments were first held in the central "prison building" for several weeks or months of discipline and study by the staff. From there they were promoted to cottages. Superintendents experimented extensively to find the most effective cottage classifications,

usually deciding to group inmates according to cooperativeness of behavior, length of time they had been in the institution, age, race, and health. When the "feeble-mindedness" theory of criminality became popular, degree of intelligence was also sometimes used as a criterion for cottage classification.

In the area of program, too, the ideal of individualized treatment was more nearly achieved in these women's reformatories than in comparable institutions for men. Programs usually began to deteriorate in quality after the institutions' first decade or so due to lack of funds, overcrowding, and routinization. During their first years, however, the women's reformatories did make strenuous efforts to educate inmates and prepare them to be self-supporting. These efforts were often heavily influenced by middle class notions of woman's "proper" role. That is, the programs of most reformatories aimed at preparing female offenders to become respectable wives or competent domestic servants.

School could be an intensive, time-consuming activity in these women's reformatories in their early years. Bedford's program included reading, writing, spelling, free hand and geometric drawing, music, and physiology. As at other reformatories, gymnastics was stressed, partly because it helped the young inmates work off energy, partly because it trained them in propriety ("many have in carriage the distinguishing marks of the 'fast' woman which must be eradicated before they can hope to lead respectable lives").¹³⁰ Vocational training at Bedford included sewing, laundry work, cooking, basket making, and hat and dress making. Katherine B. Davis was unusual (though not unique) among the superintendents of women's reformatories in wishing to train at least some inmates to compete for non-traditional jobs. "(I)t is not every woman in our mixed throng," she wrote in 1903, thinking perhaps of herself as well as her charges,

who is adapted by nature or taste to domestic service, sewing or laundry work. In the reformatories for men, no one for a moment seriously considers limiting the trades taught to cooking and tailoring In the reformatories for women we will never meet with a large measure of success until we recognize the industrial demands made upon women today and provide training in a sufficient variety of lines to meet the variety of talent and disposition.¹³¹

At one point Davis requested funds for greenhouses so that inmates could be trained in horticulture, a field not already "overcrowded" with women, and she set inmates to work laying sewers, grading land, and chopping ice. Bedford women also helped construct two of the first cottages, and in the first summers they farmed and poured cement for walkways. Most of these activities, however, were dictated by institutional needs. After Bedford was firmly established, even there most training came to be centered around cooking, cleaning, and other aspects of what was popularly called "home economics." One Pennsylvania report expressed the ideal which did in fact predominate at all the northeastern reformatories: "Our aim is to give the average girl a workable knowledge of food and raise her idea of home life to a higher plane."¹³²

In the early years of the best women's reformatories, recreational activities were more diverse than at prisons for men. Holidays were observed, dances scheduled, picnics held on the grounds. Attracting benevolently inclined outsiders, the women's reformatories occasionally presented speakers and other special programs. For example, in 1910 a woman from Chicago donated \$50 to Bedford for production of a Christmas play, and the play's author contributed another \$25.¹³³ Extra-curricular programs at the reformatories also included heavy doses of religious training.

The degree to which the reformatories could attempt to achieve the goal of reformation through retraining was, of course, affected by factors such as funding and the resourcefulness of the superintendent. The program at the institution at Muncy, Pennsylvania, seems to have been relatively rich in its early years: all inmates had jobs in the kitchen or sewing department or on the extensive farm, which included a poultry department, a piggery, and a dairy. Muncy inmates also raised fruit and vegetables which they canned in a factory-like operation. (Sale of these products enabled the institution to offset its high expenses.) Further contributing to Muncy's successful program was its relatively generous funding from the legislature and the fact that it expanded slowly, remaining small in its first years. Freed from having to cope with overcrowding, officers were able to concentrate on training.¹³⁴

The program offered by the Maine reformatory, on the other hand, was impoverished. Inadequate funding combined with uninspired (and, indeed, heavily moralistic) leadership to produce a routine which did no more than feebly imitate more innovative programs elsewhere. The silent rule was still enforced in the dining room as late as 1929, one indication of Skowhegan's failure to keep up with new penological principles. Similarly, programs were almost non-existent at the custodially-oriented Rhode Island Reformatory for Women. There, too, inadequacies were a product of underfunding, but they also stemmed from the population's heterogeneity and the fact that inmates served determinate, often very brief, terms. "(T)he odds are against the superintendent," one Rhode Island report pointed out, "who even with the [inadequate] means afforded her attempts to reform her inmates. For one thing, they are here for a fixed period, and they know it." (Some Rhode Island inmates, as noted previously, served only five days.)¹³⁵ The programs of the Maine and Rhode Island reformatories were the most backward of the northeastern institutions under discussion here.

The State Prison and House of Correction for Women in Vermont, though custodial in many respects, managed to create an innovative program. Superintendent Lena Ross, like others who enthusiastically embraced Progressive penology, did what she could to normalize life for her charges: they were taken on outings and encouraged to organize parties for needy children; and community groups of women were involved in prison activities. Even after release, ex-inmates would return to the Vermont institution with their families for visits. The Vermont Department of Public Welfare frequently boasted of its women's reformatory, noting in 1934, for example, that it was "chiefly remarkable to the extent to which normal, human relationships have been maintained under institutional conditions. It ranks with the best institutions in the country."¹³⁶

Many of these reformatories were pioneers in the application of radically new concepts of inmate treatment to classification and program. By their own standards, overall they achieved, in their first years, a high degree of success. Generally the most successful were headed by a woman who, either with ample resources (as at Muncy) or few (as in Vermont), wholeheartedly endorsed the new penology. Over time, however, even in the most successful, the level of achievement sloped off as the reformatories became too expensive, overcrowded, and set in their routines.

Discipline

Even minor disciplinary problems stood out in the open, relatively indulgent women's reformatories, far more so than in custodial institutions which cared little about rehabilitation and had more resources for maintaining order. At first, as we have observed, some reformatories seem to have maintained discipline with few rules or punishments. Inevitably, however,

uncooperative inmates appeared on the scene. These presented management problems. They also discouraged administrators, for they seemed to disprove the reformatories' claims about what they could accomplish.

The reformatories of the Northeast developed similar techniques for dealing with recalcitrant and surly inmates. Privileges which rewarded good behavior could be denied. Those reformatories with cottages could transfer women back to the main prison building. (Some, like the New Jersey reformatory, could also transfer difficult inmates to the state prison.) Most of the reformatories had or soon built disciplinary cells where defiant inmates were held, sometimes on limited diets, for periods ranging from a few hours to weeks.¹³⁷

Before long, most reformatories began issuing calls for separate, secure cottages for troublesome inmates. Some even called for entirely separate institutions to which "incurables" could be sent. According to the Bedford report of 1903, for example, "The care of such inmates is a serious drag on the work of the reformatory, and it is hoped that a way may yet be devised for the transfer of such inmates to some institution of another character." Proposals were frequently made that at these "institutions of another character," sentences be totally indefinite; for incurables by definition were beyond reform.¹³⁸ These proposals fit well with the eugenics movement popular during the Progressive era. According to eugenicists, incurables were not susceptible to treatment because they were feeble-minded, hereditarily incapable of conformity to society's rules, and they should be incarcerated for life to prevent them from producing more of their kind. Bedford pioneered in this movement for special custodial institutions for "defective" criminals, partly because it attracted private funds from eugenicists interested in finding ways of scientifically detecting the genetically unfit.¹³⁹

The New Jersey reformatory developed a unique method of handling disciplinary problems through a system of inmate self-government. To a large extent inmates policed themselves and decided punishments for rule infractions. Several illustrations of how this system worked have been provided by Eleanor H. Little, the psychologist at Clinton Farms in its early days. One concerns an inmate who had developed an eye infection:

She was transferred to Plainfield Hospital where it cleared up. On return to the institution it reappeared. The other women, doing some detective work, discovered that to avoid work she had been putting Dutch Cleanser in her eye. The inmate self-government board decreed that her minimum be extended by the number of days she did not work.

The second illustration involves some workmen at Clinton Farms, one of whom had

made contact with one of the girls. He offered to take four of them on a joyride. At that time a group were sleeping out of doors (they parked their clothes in the laundry, which they called Vanderbilt's Boudoir). The tryst was kept. The men offered the girls money and transportation to a railroad station. They refused saying they'd signed a pledge not to run away.¹⁴⁰

Inmate self-government, a disciplinary system which was highly compatible with Progressive notions about making criminals more responsible, was also tried at a few men's institutions in the early twentieth century.¹⁴¹ But evidently nowhere was it as successful as at Clinton Farms.

Typical of disciplinary needs and techniques of other northeastern reformatories in their early days were the problems and methods of the Connecticut institution. As noted previously, at first discipline seems to have

been excellent at this prison, rules being held to a minimum and infractions punished mildly by deprivation of privileges or room confinement. By 1923, however, there were four "thinking rooms" in the basement of Fenwick Hall. As the reformatory became more crowded and the initial esprit de corps wore off, emphasis was increasingly placed on control. The 1924 report announced that "Many of the women are psychopathic [the term which succeeded "feeble-minded" as a label for incorrigibles]; practically all are disciplinary problems." This same report blamed the deterioration in discipline on a deterioration in the quality of inmates: courts had learned that they could send only a few women to the crowded reformatory, and thus (the report claimed) they were sending the worst, putting less hardened cases on probation. At this point Niantic began issuing requests for a special institution to which unreformable women could be sent and held on indefinite sentences. This progression from pride in a minimum of rules to calls for permanent institutionalization of uncooperative inmates also occurred in other northeastern women's reformatories in the early twentieth century. In them, too, it was a result of overcrowding and deflation of original hopes for success in achieving reformation.¹⁴²

Of the seven reformatories under consideration, that of Maine seems to have had the worst disciplinary record in its early years. Aside from usual methods such as locking unruly inmates in their rooms, Skowhegan used four other means to induce obedience to its numerous and oppressive rules. One was to positively reinforce good behavior with membership on the "honor roll" and attendant special privileges. The other three were punitive. Most dramatic was transfer to the state prison at Thomaston, a practice condemned as "very undesirable" in 1929 but which continued until legislatively barred in 1938.¹⁴³ Another was transfer to a detention building erected on the grounds

in the late 1920s. This building, the product of years of agitation for a unit where "psychopathic" women could be segregated, was jail-like indeed, described in 1929 as "something of a monstrosity inside, . . . resembling the punishment section of a men's prison. Nearly half of the building is taken up by six rooms with solid doors and barred outside windows."¹⁴⁴ The fourth method of discipline comes to light in a letter of 1941 from Superintendent Mary W. Libby to a correspondent who had requested information on babies in prison. "The conduct of the mothers," Mrs. Libby replied,

decides in a measure the time they are allowed to spend with their babies They always have the privilege to kiss them good night and to spend an hour in the afternoon with them, unless their conduct precludes the loss [sic] of this privilege.¹⁴⁵

It seems probable that regulation of child contact was also used as an institutional control in other reformatories for women, though it is difficult to document such practices without materials such as the unusual letter from Mrs. Libby.

It is important to recognize that these women's reformatories were in something of a dilemma when it came to discipline. Harsh physical punishments, such as those used at the Mount Pleasant Female Prison in the mid-nineteenth century, were now generally regarded as barbaric. Nor did administrators have the resources of custodial institutions for discipline maintenance. With their anti-institutional biases, most in fact scorned the guard towers, barred cells, and lack of movement within traditional prisons. Thus their disciplinary resources were relatively limited. Some developed new methods--inmate self-government, for example, and restriction of access to babies. All soon came to rely on the traditional technique of punitive segregation. In time, some even resorted, sub rosa, to physical punishments which

were in direct conflict with reformatory ideology.¹⁴⁶ The dilemma was one which the founders of these reformatories, despite their caution, did not anticipate: the contradiction between rehabilitative aims and institutional demands for control.

Thus the women's prison system developed in the Northeast from the original units for female felons in maximum security institutions for men. As we have seen, the first step was taken by New York with the establishment at Sing Sing of a separate but still custodial prison for women. Overcrowding at Sing Sing and in the women's wings of prisons in other states, together with the burgeoning of a new penology of reform about 1870, led to near abandonment of the older custodial model and evolution of a new, reformatory model on which most northeastern states established totally independent women's prisons. The reformatory movement affected the development of the men's prison system as well, but its ideals were most fully achieved in the new prisons for women which, through experimentation, gradually developed a novel type of institution, one radically different from men's prisons in architecture, commitment practices, and program. With the exception of the two regressive steps in New York to establish additional custodial women's prisons, the reformatory dominated development of the women's prison system in the Northeast. By 1922, eight of the nine states had established at least one reformatory.

Although this study's focus is on the early histories of women's prisons rather than on their histories over time, we can take a brief look forward at developments which occurred after the reformatories of the Northeast were in place. Not long after the last of these institutions opened in 1922, the reformatory movement began to wane. It had been sustained for fifty years, but now its goals had largely been realized. States were, moreover, beginning

to find it too costly to maintain both a reformatory which mainly held minor female offenders and another unit in their maximum security prisons for men for women convicted of serious crimes. Gradually, the populations of the reformatories and these custodial units for serious offenders were amalgamated, felons being transferred to the grounds of the reformatories and their old units in men's institutions abolished. Moreover, misdemeanants and lesser offenders were gradually excluded from the women's reformatories, being returned once again to local jails or ignored entirely by the criminal justice system (as they often had been before the start of the reformatory movement). With these developments, the women's reformatory, in its pure form, ceased to exist in the Northeast.

Exclusion of minor offenders from state prisons for women in the late 1920s and the 1930s meant that deviant female sexuality was no longer dealt with so harshly by the criminal justice system. But as the custodial and reformatory models converged, they pooled their negative characteristics in what now became the states' only institutions for female prisoners. Held over from the custodial model was the tradition of giving fewer benefits to female prisoners than males--funding their institutions last and paying less attention to inadequacies in facilities and programs. Held over from the reformatory model was the tradition of treating women prisoners in female-specific and often infantilizing ways which also meant that, in the long run, they received treatment inferior to that of male state prisoners. Both traditions, each in its own way, bequeathed to our current women's prison system its legacy of differential treatment on the basis of sex.

Notes

¹Clifford M. Young, Women's Prisons Past and Present and Other New York State Prison History (Elmira Reformatory: The Summary Press, 1932):6,15.

²Mount Pleasant State Prison, Report of the Inspectors 1830 (New York Sen. Doc. No. 3, 1831):Appendix H, p. 34.

³New York Ass. Doc. No. 199, 1833:17, as quoted by W. David Lewis, From Newgate to Dannemora: The Rise of the Penitentiary in New York, 1796-1848 (Ithaca: Cornell University Press, 1965):157.

⁴Ibid.:94-95.

⁵Harriet Martineau, Retrospect of Western Travel, Volume 1 (New-York: Harper & Brothers, 1838):124-125.

⁶Lewis, From Newgate to Dannemora:170-172.

⁷New York, Laws of 1841, Ch. 200, sec. 3. The prison was established by Laws of 1835, Ch. 104.

⁸E. C. Wines and Theodore W. Dwight, Report on the Prisons and Reformatories of the United States and Canada (Albany: Van Benthuysen & Sons' Steam Printing House, 1867):107; Lewis, From Newgate to Dannemora:177.

⁹For biographical information on Farnham I relied on annual reports of Sing Sing; New York Committee on State Prisons, Report of the Committee on State Prisons, on Petitions Praying for a Law Abolishing the Use of the Whip in Our Penitentiaries (New York Sen. Doc. No. 120, 1846):16; and Lewis, From Newgate to Dannemora, esp. 237-250. For an interesting example of Farnham's own work, see her notes and illustrations for the second edition of M. B. Sampson, Rationale of Crime and its Appropriate Treatment: Being a Treatise on Criminal Jurisprudence Considered in Relation to Cerebral Organization (New York: D. Appleton & Company, 1846).

¹⁰Mount Pleasant State Prison, Report of the Inspectors 1843 (New York Sen. Doc. No. 20, 1844):30-31.

¹¹Mount Pleasant State Prison, Report of the Inspectors 1841 (New York Sen. Doc. No. 39, 1842):14; Inspectors of State Prison, Fourth Annual Report 1851 (New York Sen. Doc. No. 35, 1852):230-236; and various other annual reports issued on the prison during its early years.

¹²Mount Pleasant State Prison, AR of the Inspectors 1846 (New York Sen. Doc. No. 16, 1846):Appendix D, p. 88.

¹³Mount Pleasant State Prison, AR of the Inspectors 1843 (New York Sen. Doc. No. 20, 1844):29, 30, 202.

¹⁴Dorothea Lynde Dix, Remarks on Prisons and Prison Discipline in the United States, 2d. ed. (orig. 1845) (repr. Montclair, N.J.: Patterson Smith, 1967):13-14.

¹⁵Despite its mild name, the shower bath was one of the prison's most severe punishments. The prisoner was bombarded by a powerful stream of water until close to drowning.

¹⁶Mount Pleasant State Prison, Report of the Inspectors of the Mount Pleasant State Prison in answer to a resolution of the Assembly (New York Ass. Doc. No. 139, 1846):Appendix C, pp. 113-114.

¹⁷Young, Women's Prisons Past and Present:13; New York, Laws of 1877, Ch. 172, secs. 1 and 2.

¹⁸For a description of the women's quarters in the New Hampshire state prison, see Paul W. Garrett and Austin H. McCormick, eds., Handbook of American Prisons and Reformatories (New York: National Society of Penal Information, 1929):586. In other states, overcrowding of the women's quarters in the state prison sometimes led into the development of a separate institution for women; in New Hampshire, it was underpopulation which led to abolition of the

women's quarters. See New Hampshire State Prison, Report of the Officers 1936:10 and Report of the Officers 1942:11. A law of 1941 (Ch. 622, sec. 33) authorized the trustees of the state prison to contract with county prisons or prisons in other states which had separate facilities for women, to take custody of women convicted in New Hampshire of crimes for which they would have been sent to the state prison. Today, according to Vergil L. Williams, Dictionary of American Penology (Westport, Ct.: Greenwood Press, 1979):174, "Any adult females sentenced to prison in New Hampshire are boarded outside of the state with another state prison system or the federal system."

¹⁹Dix, Remarks on Prisons:107.

²⁰See, for example, Pennsylvania Board of Public Charities, AR 1908:9,94.

²¹National Congress on Penitentiary and Reformatory Discipline, Transactions (Albany: Weed, Parsons and Company, 1871):541-547.

²²See, for example, Eugenia Cornelia Lekkerkerker, Reformatories for Women in the United States (Batavia, Holland: Bij J. B. Wolters' Uitgevers-Maatschappij, 1931):89-90. The Indiana women's prison was established earlier but was less congruent with reformatory principles.

²³Massachusetts Board of State Charities, AR 1868:312.

²⁴On the Greenfield jail fiasco, see Massachusetts Board of Commissioners of Prisons, AR 1872:5-8.

²⁵Prison Association of New York (hereafter PANY), AR 1879:xxxvii.

²⁶The Board of Commissioners for Prisons, established in 1870, presented arguments for the women's prison in its annual reports. On Chickering's work, see Sarah E. Dexter, Recollections of Hannah B. Chickering (Cambridge, Ma.: Riverside Press, 1881). The support of Sanborn, Wines, and, especially, Brockway is described in Isabel C. Barrows, "The Massachusetts Reformatory Prison for Women," in Samuel J. Barrows, ed., The Reformatory System in the

United States (Washington: Government Printing Office, 1900):105-106. On the league which organized the petition campaign, see Massachusetts Board of Commissioners of Prisons, AR 1876:61.

²⁷David M. Schneider and Albert Deutsch, The History of Public Welfare in New York State, 1867-1940 (Chicago: The University of Chicago Press, 1941): 103.

²⁸On the Irish system, influential precursor of the American reformatory, see Frank B. Sanborn, "How Far is the Irish Prison System Applicable to American Prisons?" in National Congress on Penitentiary and Reformatory Discipline, Transactions:406-414.

²⁹The arguments appear in the annual reports issued 1871 through 1874 by the Massachusetts Board of Prison Commissioners.

³⁰Josephine Shaw Lowell, "One Means of Preventing Pauperism," in National Conference of Charities and Correction, Proceedings 1879:189. This entire article gives a good example of Lowell's thinking on the matter of institutions for women. Also see New York State Board of Charities, AR 1886:171 and Nicolas F. Hahn, "Too Dumb to Know Better: Cacogenic Family Studies and the Criminology of Women," Criminology 18 (1) May 1980:3-25.

³¹New York State Charities Aid Association, AR 1879:5, 59.

³²House of Refuge for Women at Hudson (hereafter HRH), AR 1887:5.

³³Massachusetts, General Laws and Resolves 1907, Ch. 252, sec. 1. The laws which originally governed commitment to the reformatory (General Laws and Resolves 1874, Ch. 385, sec. 21 and Ch. 165, sec. 28) specified that rogues and vagabonds, idle and dissolute persons, stubborn children, runaways, common drunkards, common night walkers, pilferers, and lewd, wanton, and lascivious persons might be sent to the reformatory. That repeaters could be excluded from the institution was specified by General Laws and Resolves 1878, Ch. 270, sec. 2.

According to Estelle B. Freedman's study of a sample of records of 640 women committed to the Framingham reformatory 1877-1913 ("Their Sisters' Keepers: The Origins of Female Corrections in America," unpublished Ph.D. dissertation, Columbia University, 1976:189), 12.5 percent of the sample had been convicted of property crimes (mainly larceny) and 3.9 percent of offenses against persons; all the others were public order or chastity offenders. Unfortunately, Freedman does not break down offenses into the misdemeanor-felony classification.

³⁴New York, Laws of 1881, Ch. 187, secs. 7-8, 10: HRH, AR 1897, referring to New York, Laws of 1896, Ch. 546, sec. 146; New York, Laws of 1910, Ch. 449, sec. 226, Laws of 1904, Ch. 453, sec. 131.

³⁵Massachusetts, General Laws and Resolves 1874, Ch. 385, sec. 21 and Ch. 165, sec. 28.

³⁶Massachusetts Reformatory Prison for Women (hereafter MRPW), AR 1879:15 [terms in second year]. On the establishment of the one year minimum for all, see MRPW, AR 1880:11 and Massachusetts, Prison Laws and Resolves 1880, Ch. 247, sec. 1 (cf. Ch. 221, sec. 2, which established milder punishments for men) and Ch. 114, sec. 1.

³⁷New York, Laws of 1890, Ch. 238, sec. 8, Laws of 1896, Article IX, sec. 146.

³⁸HRH, AR 1888:5-6. The Hudson managers pointed to the example of the Elmira reformatory for men, which also had an indeterminate five year sentence, but they failed to note that only felons were sent to Elmira.

³⁹HRH, AR 1889:10; New York, Laws of 1899, Ch. 632, sec. 1.

⁴⁰For more specific data on parole from the New York Western House of Refuge at Albion, see Chapter 8 of this report and Nicole H. Rafter, "Chastizing the Unchaste: Social Functions of a Late Nineteenth Century Women's

Reformatory," forthcoming in Andrew Scull, ed., Sociological Review Monographs (1981).

⁴¹Dexter, Recollections of Hannah B. Chickering:317.

⁴²New York State Board of Charities, AR 1897:61.

⁴³New York, Laws of 1881, Ch. 187, sec. 2; HRH, AR 1888:7, AR 1892:3.

⁴⁴New York, Laws of 1890, Ch. 238, sec. 2.

⁴⁵See Barrows, "The Massachusetts Reformatory Prison for Women," Freedman, "Their Sisters' Keepers," Chapter 8 of this report, and the early annual reports of the reformatories in question.

⁴⁶Massachusetts Board of State Charities, AR 1879:187; MRPW, AR 1880:21. According to the former, of 794 commitments during the first year, 54 percent were foreign-born and 86 percent had foreign-born parents. According to the latter, of 519 women committed during the second year, 55 percent were foreign-born, and 33 percent had been born in Ireland.

⁴⁷Massachusetts Board of State Charities, AR 1879:187; MRPW, AR 1882:6. In the latter year, of 193 commitments, 80 percent had been convicted of offenses against public order and chastity, 20 percent of offenses against persons or property.

⁴⁸New York State Board of Charities, AR 1895:53.

⁴⁹The earliest record books for the Western House of Refuge (held by the New York State Archives in Albany), although they left spaces for the recording of obscure information like mental condition of the inmates' grandparents, left no space for the recording of race. When non-whites were committed in later years, notation of race was written in at the top of their record page.

⁵⁰HRH, AR 1897:10.

⁵¹Under the superintendency of Miriam Van Waters, who took charge at Framingham in 1932, the indenture system was expanded to include "day work," a

form of work-release under which the prisoners returned to the reformatory each evening. However, political opponents of Van Waters' brought all forms of indenture at Framingham to an end in 1948. See Beth Davis, "Sketch of a Penologist: Miriam Van Waters," unpublished paper, Northeastern University, College of Criminal Justice, 1978.

⁵²New York State Board of Charities, AR 1889:127-128, AR 1895:xxiv, 54, 56.

⁵³New York State Superintendent of State Prisons, AR 1892:22-23, AR 1893:6-7.

⁵⁴For general information on the State Prison for Women, I usually do not repeat in this chapter footnotes which can be found in Chapter 7. Readers interested in more complete documentation are referred to the later chapter.

⁵⁵New York, Laws of 1893, Ch. 306, sec. 9. Some first felons under age 30 could be sent to Bedford after that reformatory opened in 1901.

⁵⁶According to the 1894 report on the State Prison for Women (New York Superintendent of State Prisons, AR 1894:159-160), 40 percent of the total population of 116 were foreigners. In 1908 and 1928, 13 and 14 percent, respectively, of the years' commitments were listed as foreign-born (New York State Commission of Prisons, AR 1908:306; New York State Commission of Correction, AR 1928:513-514). For more details on demographic characteristics and conviction offenses of the Auburn women, see Chapter 7.

⁵⁷Women's Prison Association of New York (hereafter WPANY), AR 1902:52.

⁵⁸WPANY, AR 1905:37, 39.

⁵⁹WPANY, AR 1905:39.

⁶⁰Ibid.

⁶¹WPANY, AR 1906:57-58.

⁶²New York State Conference of Charities and Correction, AR 1914:230; also see WPANY, AR 1907:45.

⁶³WPANY, AR 1907:46, 8, AR 1908:6.

⁶⁴New York, Laws of 1908, Ch. 467, sec. 2; WPANY, AR 1902:52. Also see WPANY, AR 1908:5; New York State Conference of Charities and Correction, AR 1910:159, 189; and New York State Commission of Prisons, AR 1914:126.

⁶⁵New York, Laws of 1908, Ch. 467, secs. 3, 12. It would be interesting to learn what happened to the \$100,000.

⁶⁶New York, Laws of 1908, Ch. 467, sec. 8.

⁶⁷New York, Laws of 1913, Ch. 372, secs. 88 and 89. I say "evidently" because, while these amendments did not specify that such commitments had to have prior records, neither did they specify that an exception was being made to the general commitment law governing Valatie.

⁶⁸New York, Laws of 1908, Ch. 467, sec. 8.

⁶⁹New York, Laws of 1908, Ch. 467, secs. 1, 5; WPANY, AR 1916:8.

⁷⁰New York, Laws of 1908, Ch. 467, sec. 5.

⁷¹For example: while claiming to "strongly" believe in the cottage system, at one point Mealey asked that one large building, "presumably a cell-block," be built to hold 300 inmates. Such a building, he argued, would reduce costs and improve discipline (New York Superintendent of State Prisons, AR 1915:344).

⁷²New York Superintendent of State Prisons, AR 1915:338-340, AR 1916:344, AR 1917:342-345.

⁷³See note 72.

⁷⁴New York Superintendent of State Prisons, AR 1917:344 [Armstrong's complaint], 22 [escapes].

⁷⁵WPANY, AR 1918:37; New York State Commission of Prisons, AR 1916:26.

⁷⁶New York State Commission of Prisons, AR 1920:28; Young, Women's Prisons Past and Present:36; WPANY, AR 1919:23-37.

⁷⁷Vermont and Rhode Island, as we shall see, did not found new institutions but rather redesignated former houses of correction to be their women's reformatories. That they did not spend more on these institutions may have been a function of their small size, state size influencing available funds and the number of women prisoners.

⁷⁸If we were dealing here with Massachusetts, it, too, would be an exception.

⁷⁹On the early New Jersey movement, see New Jersey, Report of the Commissioners to Examine the Various Systems of Prison Discipline and Propose an Improved Plan (Trenton: The True American Office, 1869):5-6, 22. For descriptions of the work of Mrs. John H. Patterson, matron of the women's division at Trenton State Prison, see New Jersey State Prison, AR 1890:19, 32, 62 and AR 1895:12. A detailed description of the Connecticut movement is given by Helen Worthington Rogers, "A History of the Movement to Establish a State Reformatory for Women in Connecticut," Journal of Criminal Law and Criminology XIX (4) (February 1929):518-541.

⁸⁰Originally called the Women's Board of Visitors, the Advisory Board issued annual reports. An account of its early struggles to found a reformatory in Rhode Island appears in AR 1905:9-18.

⁸¹The exception was Vermont, where--as we shall see--there seems to have been no agitation for a women's reformatory at all.

⁸²WPANY, AR 1892:6 [vote of 90 to 0], AR 1893:6 [dying words].

⁸³Some details on Lowell's Bedford involvement are given later in this chapter; also see William Rhinelanders Stewart, The Philanthropic Work of Josephine Shaw Lowell (New York: Macmillan, 1911):313-319.

⁸⁴The work of Mrs. Alexander, later Mrs. Wittpenn; and of others involved in the New Jersey movement is described in detail in Mary Ann Stillman

Quarles, "Organizational Analysis of the New Jersey Reformatory for Women in Relation to Stated Principles of Corrections, 1913-1963" (unpublished dissertation, Boston University, 1966):38-41; also see New Jersey Women's Reformatory Commission, Report of the New Jersey Women's Reformatory Commission (Trenton: MacCrellish & Quigley, State Printers, 1905).

⁸⁵Quarles, "Organizational Analysis":40.

⁸⁶Rogers, "A History of the Movement to Establish a State Reformatory for Women in Connecticut":531-538.

⁸⁷Rhode Island Advisory Board of Visitors, AR 1905:44.

⁸⁸Officers of the Vermont State Prison, BR 1916:10; Vermont Director of State Institutions, BR 1920:4, 68; Vermont General Assembly, Acts and Resolves 1921, Public Act No. 216. In 1933, the name of the Vermont State Prison and House of Correction for Women was changed to Women's Reformatory.

⁸⁹New Jersey Women's Reformatory Commission, Report (1905):8; Pennsylvania Prison Society, The Journal of Prison Discipline and Philanthropy 39 (January 1900):24.

⁹⁰Maine State Board of Charities and Corrections, AR 1914:14-15.

⁹¹Board of Managers of the New York State Reformatory for Women at Bedford, N.Y., Report 1892-1895 (N.Y. Sen. Doc. No. 6, 1896):5-6, 20; Maine Reformatory for Women, AR 1917:1; Pennsylvania Prison Society, The Journal of Prison Discipline and Philanthropy 53 (March 1914):7 ["temptation to dissipation"]; Pennsylvania General Assembly, Laws of 1913, Act No. 816, sec. 1.

⁹²Rhode Island General Assembly, Public Laws 1921 and 1922, Ch. 2230, sec. 18, specified that the women's reformatory should be located in "That part of the state institution at Cranston heretofore used as a part of Oaklawn school [for girls] known as the administration building." However, the reformatory was in fact located in the former House of Correction. See "Reform-

atory for Women is Planned," Providence Journal, 30 December 1923:4 and Rhode Island Public Welfare Commission, AR 1925:15-16.

⁹³Pennsylvania Prison Society, The Prison Journal V (2) (April 1925):8; Harry Elmer Barnes, The Evolution of Penology in Pennsylvania (Indianapolis: Bobbs-Merrill, 1927):402.

⁹⁴New York, Laws of 1892, ch. 637, sec. 8.

⁹⁵Quarles, "Organizational Analysis":2.

⁹⁶Connecticut State Farm for Women (hereafter CFW), BR 1930:6, 15.

⁹⁷Connecticut, Public Acts of 1917, Ch. 358, sec. 9 enabled courts to commit to Niantic "unmarried girls between the ages of sixteen and twenty-one years who are in manifest danger of falling into habits of vice or who are leading vicious lives." The quotation about "diseased women" comes from CFW, BR 1920:5; also see pp. 14-15.

⁹⁸New York State Reformatory for Women at Bedford (hereafter NYRW), AR 1910:56; Maine Reformatory for Women, AR 1917:4, BR 1920:15, BR 1922 [pages unnumbered].

⁹⁹Lekkerkerker, Reformatories for Women in the United States:125.

¹⁰⁰The exception, Rhode Island, is discussed below.

¹⁰¹New York, Laws of 1899, Ch. 632, sec. 1; Pennsylvania General Assembly, Laws of 1913, Act No. 816, sec. 15; Connecticut, Public Acts of 1917, Ch. 386, sec. 9; Maine, Acts and Resolves 1915, Ch. 206, sec.7; New Jersey, Acts of the Legislature 1910, Ch. 72, sec. 14. As for Vermont, see Vermont, Acts and Resolves 1921, Act No. 216 and Department of Public Welfare, BR 1924:60, 62.

¹⁰²Rhode Island, Governor's Message and Report of the Commission to Investigate the State Public Welfare Commission and all Departments Thereunder (Providence: E. L. Freeman Company, 1929):8; Rhode Island Department of Public Welfare, AR 1936:78.

¹⁰³This is not to say that there were no inequities in the sentencing of women before the reformatories opened. Prostitutes could be punished while their customers were not; and police may have been more inclined to arrest women than men for morals offenses such as drunkenness. The reformatory movement, however, greatly increased differences in the ways the sexes were treated by the criminal justice system.

¹⁰⁴New York State Board of Charities, AR 1895:xxviii; Board of Managers of the New York State Reformatory for Women at Bedford, AR 1897:8-9.

¹⁰⁵Pennsylvania General Assembly, Laws of 1913, Act No. 816, sec. 5 [appropriation].

¹⁰⁶Less information is available on the early days of the Maine reformatory, but to judge from the moralistic tone of that prison's first reports, management there was probably more formal.

¹⁰⁷As quoted in Quarles, "Organizational Analysis":57.

¹⁰⁸"Reformatory for Women is Planned," Providence Journal, 30 December 1923:4; Lekkerkerker, Reformatories for Women in the United States:125; Rhode Island Public Welfare Commission, AR 1926:17.

¹⁰⁹"Report Condemns Facilities at Women's Reformatory," Providence Journal, 24 December 1928:16 (the article contains portions of the text of the report of a legislative committee appointed to investigate the institution).

¹¹⁰For example, Kathryn Watterson Burkhart, in Women in Prison (Garden City, N.Y.: Doubleday & Company, 1973, at 366), writes, "As we know, women's prisons were created as a reform measure in the 1920s."

¹¹¹For an example involving New York's Western House of Refuge, see Chapter 8 of this report.

¹¹²Freedman, "Their Sisters' Keepers":410-411.

¹¹³See, for example, Mabel Ruth Fernald, Mary H. S. Hayes and Almena Dawley, A Study of Women Delinquents in New York State (New York: Century Company, 1920); Edith R. Spaulding, An Experimental Study of Psychopathic Delinquent Women (orig. 1923; repr. Montclair, N.J.: Patterson Smith, 1969); and Jean Weidensall, The Mentality of the Criminal Woman (Baltimore: Warwick & York, 1916). All three works reflect trends started while Davis was superintendent. Also see Nicolas Fischer Hahn, "The Defective Delinquency Movement: A History of the Born Criminal in New York State, 1850-1966" (unpublished Ph.D. dissertation, State University of New York at Albany, 1978):Chapter VII.

¹¹⁴Thanks for this information are due to Eleanor H. Little of Guilford, Conn., a lifelong friend of Caughey's and, in the early days of Clinton Farms, the institution's psychologist and parole officer.

¹¹⁵Not long after Caughey's departure, Dr. Mary Belle Harris became superintendent of Clinton Farms. Harris had earlier worked in corrections in New York City with Katherine Davis. Later she became head of the first federal prison for women.

¹¹⁶For information on the struggle, see a pamphlet written by Rogers' husband, A. K. Rogers, An Episode in History of a Connecticut Institution (New Haven: City Printing Co., 1923). I am grateful to Eleanor H. Little for showing me her copy of this pamphlet.

¹¹⁷For information on Elizabeth Munger I am indebted to Eleanor H. Little and to Janet York of Old Lyme, Conn. When York joined the Niantic staff in the late 1940s, Munger's influence was still very apparent, especially in the classification system. York became superintendent of Niantic in the early 1960s.

¹¹⁸Pennsylvania Prison Society, The Prison Journal V (3) (July 1925):6.

¹¹⁹On Ross, see Vermont Department of Public Welfare, BR 1928:81, BR 1934:74, and BR 1936:58.

¹²⁰Paul W. Garrett and Austin H. MacCormick, eds., Handbook of American Prisons and Reformatories (New York: National Society of Penal Information, 1929):829 [Pennsylvania data for 1928]; other information in this paragraph was derived from the institutions' annual reports. It should be noted that none of these data include the babies who were often kept with their mothers in the reformatories, usually in a separate "nursery cottage."

¹²¹Information derived from the annual reports of the women's reformatory, which appear in the series of annual reports published by the Rhode Island Public Welfare Commission (later the Department of Public Welfare).

¹²²For an example and more details, see Chapter 8 of this report.

¹²³NYRW, AR 1910:55; U.S. Department of Commerce, Bureau of the Census, Historical Statistics of the United States, Colonial Times to 1970. Part I (Washington, D.C., 1975):32 [data on total New York population]; Quarles, "Organizational Analysis":370-371 [data on Clinton Farms and total New Jersey population].

¹²⁴Rhode Island Public Welfare Commission, AR 1927:155 [1926-1927 data]. The annual reports of the New Jersey reformatory present particularly interesting data on differential treatment of whites and non-whites.

¹²⁵Garrett and MacCormick, Handbook of American Prisons and Reformatories:829 [Pennsylvania data]; NYRW, AR 1910:53.

¹²⁶NYRW, AR 1910:56.

¹²⁷Pennsylvania Prison Society, The Prison Journal V (3) (July 1925):5, quoting the Pennsylvania Committee on Penal Affairs. According to the Pennsylvania State Industrial Home for Women, Report For the Four Year Period Ending May 31st, 1928 (hereafter PIHW, Report 1924-1928), at 34, of 227 women committed to Muncy during these four years, 25 percent had been convicted of fornication, 14.5 percent of larceny, and 13 percent of incorrigibility; those were the three most common conviction offenses.

¹²⁸Maine Reformatory for Women, BR 1922:[11-12]; untitled typescript headed "Mrs. Libby" and dated 5 February 1925:[4] (this document and other archival materials were located for us by Ms. Linda Dwelley, Media Resources, Maine Criminal Justice Academy in Waterville, and should now be in the state archives); CFW, BR 1920:19, 23.

¹²⁹Vermont Director of State Institutions, BR 1922:81-82; Vermont Department of Public Welfare, BR 1926:56-62, BR 1928:84-88; Rhode Island Public Welfare Commission, AR 1926:150, AR 1933:91.

¹³⁰NYRW, AR 1903:34.

¹³¹Ibid.:23-24.

¹³²NYRW, AR 1901:19 [greenhouses]; PIHW, Report 1924-1928:18.

¹³³NYRW, AR 1910:29.

¹³⁴Pennsylvania Prison Society, The Prison Journal IV (2) April 1924):12; PIHW, Report 1924-1928:16-31; Pennsylvania Prison Society, The Prison Journal V (3) (July 1925):6-7; Lekkerkerker, Reformatories for Women in the United States:115-116.

¹³⁵Garrett and MacCormick, Handbook of American Prisons and Reformatories:396 [silent rule at Maine]; "Report Condemns Facilities at Women's Reformatory," Providence Journal, 24 December 1928:16.

¹³⁶Vermont Department of Public Welfare, BR 1934:74. The visits are mentioned in ibid.:81. The phenomenon of visits by ex-inmates, which also occurred at the Massachusetts and Albion, New York, reformatories, is nearly unthinkable in connection with men's penal institutions.

¹³⁷According to the the Prison Association of New York, AR 1902:72, at Bedford in that year the most severe punishment was confinement in a light cell, usually for a short time; but one woman was thus confined for seven weeks.

¹³⁸NYRW, AR 1903:12 [quotation], AR 1910:13 [need for completely indefinite sentences].

¹³⁹One source of such funds was John D. Rockefeller, Jr.; see Katherine B. Davis's introductions to Fernald et al., A Study of Women Delinquents in New York State and to Spaulding, An Experimental Study of Psychopathic Delinquent Women, and Hahn, "The Defective Delinquency Movement," Chapter VII. The eugenists' ambitions were realized when, in 1931, the reformatory at Albion, New York, was turned into an Institution for Mentally Defective Delinquent Women; sentences there were indefinite. Before 1931 in New York and in other states, disciplinary cases were sometimes simply transferred to the local institution for the mentally retarded, where they could be held indefinitely.

¹⁴⁰Eleanor H. Little, "NOTES RE . . . Clinton Farms," typescript dated 25 August 1980 in the possession of Nicole F. Rafter.

¹⁴¹The self-government system instituted at Sing Sing by warden Thomas Mott Osborne was particularly well known.

¹⁴²CFW, BR 1924:8, 11-12, BR 1928:5-6.

¹⁴³Garrett and MacCormick, Handbook of American Prisons and Reformatories:396; "State Reformatory for Women, Skowhegan, Maine," typescript dated 28 January 1939:[3] [for the location of this manuscript, see n. 128, above].

¹⁴⁴Garrett and MacCormick, Handbook of American Prisons and Reformatories:396.

¹⁴⁵Mary W. Libby to Clement J. Wyle, 24 October 1941 [for location, see n. 128, above].

¹⁴⁶For example, an investigation of 1920 found that at Bedford, women had been handcuffed with their arms behind their backs and then hung from a grating so that their toes barely touched the floor, "and, while thus suspended, their faces were dipped into pails of water until subdued" (New York State Commission of Prisons, AR 1920:68).

CHAPTER 3

DEVELOPMENT OF THE WOMEN'S PRISON SYSTEM IN THE NORTH CENTRAL STATES

The women's prison system of the North Central states developed in three phases. In the second half of the nineteenth century, women's units began to split off from the male prisons of which they had traditionally been a part. This first phase saw establishment in Indiana of the region's first independent women's prison and, in Michigan, a brief but highly significant attempt at reformatory treatment of women held at the Detroit House of Correction. During the second phase, which spanned the period 1900-1930, eight women's prisons were established in seven North Central states. All but one of these were reformatories; the exception occurred in Illinois, which established both a Women's Prison and a State Reformatory for Women. The third and most recent phase occurred when, in the mid-twentieth century, two more states established women's prisons.

Organized according to the three developmental stages, this chapter deals with the institutions listed in Table 1. The chapter also deals briefly with two states, North and South Dakota, which never established prisons for women.

TABLE 3:1

WOMEN'S PRISONS OF THE NORTH CENTRAL REGION

	Original Name	Location	Date Established	Date Opened
Michigan	House of Shelter, Detroit House of Correction	Detroit	1868	1868
Indiana	Reformatory Institution for Women and Girls	Indianapolis	1869	1873

(continued)

Ohio	Reformatory for Women	Marysville	1911	1916
Wisconsin	Industrial Home for Women	Taycheedah	1913	1921
Iowa	Women's Reformatory	Rockwell City	1915	1918
Minnesota	State Reformatory for Women	Shakopee	1915	1920
Kansas	State Industrial Farm for Women	Lansing	1917	1918
Illinois	Women's Prison	Joliet	1919	1919
Nebraska	Reformatory for Women	York	1919	1920
Illinois	State Reformatory for Women	Dwight	1927	1930
Missouri	State Penitentiary for Women	Jefferson City	1955	1955
Michigan	Huron Valley Women's Facility	Ypsilanti	[1972]	1977

NOTE: Brackets have been placed around the date of establishment of the Huron Valley Women's Facility to indicate that this prison was established through not legislative action but administrative decision.

Nineteenth Century Origins of the Women's Reformatory

As we observed in Chapter 1, the most important single event in the development of the women's prison system occurred in 1870, when the first national prison congress endorsed the principle that "Prisons . . . should be classified . . . so that there shall be . . . separate establishments for women," designed to reform.¹ The prelude to enunciation of this principle occurred during the decade leading up to 1870: during the 1860s took place two developments which indicated that separate, reformatory institutions for women were possible. First, at the Detroit House of Correction, Superintendent Zebulon R. Brockway established a semi-independent House of Shelter which made a concerted effort to apply with female prisoners the methods of

the "Irish system" of reformatory prison discipline. (One of three key organizers of the 1870 congress, Brockway brought his Detroit experience to that meeting.) Second, in 1869, Indiana moved to establish an entirely separate prison for women. From these two experiments eventually flowed not only women's prisons of the reformatory type but also the national system of independent prisons for women.

Treatment of Women Prisoners at the Detroit House of Correction

Although the House of Shelter operated at the Detroit House of Correction between 1868 and 1874 was not an independent institution, it was of great significance to the development of separate women's prisons because it pioneered in seven reforms which later became the foundation of female corrections in many states:

- (1) Deliberate and concerted efforts to treat female prisoners differently from males on the grounds of inherent differences between the sexes;
- (2) Special, longer sentences for female "sex" offenders;
- (3) Indeterminate sentencing;
- (4) Supervision of prisoners released on parole;
- (5) "Grading," so that prisoners could be rewarded for good behavior by promotion to a higher grade with greater privileges;
- (6) "Familial" treatment of adult women prisoners;
- (7) Educational training aimed at reform.

Though short-lived, the House of Shelter began what became a revolution in the care of adult female prisoners.

The Detroit House of Correction, established in 1861, was designed to hold Michigan's young male and nearly all of its female prisoners. (Previ-

ously women were incarcerated in a building on the grounds of the old state prison at Jackson, where some continued to be held until 1873.)² Although operated by Detroit, the new institution was in effect a state prison, Michigan reimbursing the city for expenses. Moreover, despite its name, its emphasis on youthful and female offenders, and the reformatory overtones it took on during Brockway's tenure, the Detroit House of Correction was definitely a custodial type of institution. The separate yards for exercise of women and men, for instance, were each "surrounded by a brick wall sixteen feet high, surmounted with sentinel towers."³ All prisoners, at first, had definite sentences, and as in other custodial institutions, women were paid for their work.⁴ There was, in short, nothing remarkable about the treatment of women at the House of Correction in its earliest years.

Innovation began when Brockway established a House of Shelter for women as an adjunct to the prison. His inspiration came during a visit to the Lancaster, Massachusetts, school for delinquent girls, where he observed two reformatory features: a system of treating the girls as though they were members of a "family"; and the employment of "cultured" women officers who provided role models. This visit demonstrated to Brockway "what could be done to save our women prisoners, and on my return to Detroit I asked and readily obtained permission to build what we named the 'house of shelter.'" (Permission was "readily obtained" because by using profits from the House of Correction, Brockway was able to establish and operate the shelter without extra cost to the city.) The House of Shelter opened in 1868.⁵

Before looking at the operation of the shelter in more detail, it is necessary to note a second innovation at the House of Correction, the enactment, in 1869, of the famous "three years law" which gave Brockway power to hold women convicted of prostitution for up to three years. The first pro-

vision for indeterminate sentencing in the country, this law was based on the "Irish system" of prison discipline which was just then beginning to revolutionize penology. (It is noteworthy that Michigan was willing to introduce such a radical experiment when it applied to women. Brockway hoped to see enacted a similar law which would apply to men sentenced to his prison, but the proposal relating to men was declared unconstitutional.) The new law subjected prostitutes to much longer periods of confinement than previously, on the ground that they might thus be reformed. The three years law was also significant in that it made available, for the first time, the possibility of parole. But as yet, no one knew how to deal with paroled prisoners--which returns us to the House of Shelter.⁶

The House of Shelter received four types of inmates. First were those women received from the House of Correction proper before expiration of sentence, i.e., those paroled, who were "under moral obligation to remain until their term . . . expires." This transfer was the original solution to the dilemma posed by parole. A second group was comprised of women who voluntarily entered the shelter after their terms at the House of Correction had expired; for them the shelter functioned as a half-way house. The third group consisted of "upper grade" women sentenced to the House of Correction under the three years law; for them, entry into the less penal shelter served as a reward for good behavior. The type of woman who belonged to the last group was characterized as "a friendless one, who is guilty of no crime" but in need of protection. The shelter, then, combined features of relaxed prison discipline with those of the protective "home."⁷

At the time the shelter was founded, no one had a clear idea of how to achieve the reformation of women criminals. But Brockway was convinced that the effort should be made. "The dismissal of a convict woman from her prison

gates," in his opinion, was "an open dismissal to a life of renewed crime and shame."⁸ Brockway freely admitted that he was venturing into new and perhaps perilous territory:

The difficulties in this field of [female] reform have hitherto seemed insurmountable. How much can be done, we confess we do not know. But we are profoundly convinced that little can be done to reclaim fallen women, except through the sisterly care, counsel and sympathy of their own sex.⁹

Maternal care by other, more "proper" women was thus the central concept around which Brockway built his program of reform. "It is intended to receive here," the institution's inspectors explained,

as into a home, women who . . . seem willing to accept a reform of life. It is intended that they should be received here into a family life, where they shall receive intellectual, moral, domestic, and industrial training, under the influence, example and sympathy of refined and virtuous women.¹⁰

With justification, McKelvey has referred to the shelter as "in a sense the first women's reformatory in America."¹¹

The "refined and virtuous women" who operated the shelter were a Mrs. Wiggin, the first matron, and Emma Hall, the teacher. When Mrs. Wiggin resigned and the three years law came into effect, Hall took over as both matron and teacher. It was she who first operationalized the new theories of female reform. Emphasizing religious uplift and both domestic and academic training, Hall foreshadowed the generation of reformatory superintendents who followed her. She brought to her work talent as a teacher and a missionary dedication. Brockway spoke with awe of her perseverance under bleak conditions:

She had not, nor under the circumstances could she have, any social life outside the institution where she lived; no outside entertaining occasions either private or public Sole head of the house of shelter, without assistance beyond the service of prisoner women of her charge, she must herself be always present early and late, attending to all the details of the family life Miss Hall [also] found time for frequent visits to the women prisoners at the house of correction¹²

Willingness to endure the stigma of living with prisoners and dedication to the task of helping less fortunate women also characterized other reformers who followed Emma Hall's lead into female corrections. But these later reformers usually worked in the more benign context of a reformatory, and they had support groups of other women. In Emma Hall, Brockway indeed found a self-denying, "virtuous" woman to carry out his experiment in reforming female criminals.

The Detroit House of Shelter closed in 1874, not long after Brockway and Hall had resigned. According to Brockway, the experiment was terminated because overcrowding in the House of Correction

made demand for more room . . . , so that the house of shelter buildings were required for officers' quarters and offices. There was, too, on the part of my successor as superintendent . . . less appreciation of the importance and practicability of accomplishing reformation with prisoners¹³

But although the shelter itself was short-lived, its influence continued. Channeled through the conduit of the 1870 prison congress, the correctional techniques pioneered by Brockway and Hall in Detroit flowed into what became a mainstream of female corrections.¹⁴

The Indiana Reformatory Institution for Women
and Girls

Even more nearly forecasting developments to come was the Indiana Reformatory Institution for Women and Girls established in Indianapolis in 1869. This was a radical institution indeed. Second only to the women's unit at Sing Sing as an independent prison for women, it was the first to survive into the twentieth century.¹⁵ It was, moreover, the first completely independent prison for women and the first to be run entirely by a female staff, without interference (as at Sing Sing) from supplementary male officers. Finally, despite the claims usually made for the men's reformatory at Elmira, New York, the Indiana institution was the first adult reformatory in the United States.

Establishment

Three factors fed into establishment of this institution. One was the desire of officials at the Indiana State Prison at Jeffersonville, where female felons were previously held, to get rid of their women prisoners as rapidly as possible. The prison's warden complained in 1869 that "We have all the female convicts of the State, whose labor is altogether unproductive, and who are an expense" Even Jeffersonville's physician wanted to see the end of the women prisoners, declaring them an "expense and annoyance." Second, Indiana lacked an institution for delinquent girls; it was thought that by combining the populations of felons and delinquents, the expense of operating a separate institution for females could be justified. Third and most decisive, "very grave charges" had been brought "against officers and guards" at Jeffersonville "of drunkenness, and . . . prostitution of female convicts, and demoralization generally."¹⁶

Leveling of these charges came about through the following process. A Quaker couple, Charles and Rhoda Coffin, were scandalized in 1866 by rumors of sexual mistreatment of female convicts at Jeffersonville. The Indiana Yearly Meeting of Friends appointed a committee to improve, if possible, the treatment of women prisoners and delinquent girls, and the Coffins traveled to Jeffersonville to investigate.¹⁷ Of that experience Rhoda Coffin remarked:

Could I convey to you some idea of the terrible abuses which have been unveiled in the investigations which my husband and myself have made into the conditions of our prisons . . . , you would at once be convinced of the need of some reform as regards the case of female criminals.¹⁸

The Coffins found that guards had keys to the women's cells. "The results in some instances HAVE BEEN MOST TERRIBLE They [the women] . . . may be forced to minister to the lust of the officers, or if they refuse, to submit to the infliction of the lash until they do."¹⁹ The Coffins reported the matter to the governor, who, in the words of Charles Coffin,

visited the prison himself and entirely substantiated all that we had reported. He brought the subject to the attention of the Prison Committee of the Legislature, and they sent a deputation to visit it and reported back that "the half had not been told." It resulted in the establishment of a Women's Prison and Reformatory in Indianapolis, and the removal of the inmates from Jeffersonville to the new prison. My Wife with two other ladies formed the Board of Directors for many years, she being President of the Board.²⁰

The new institution opened in 1873, about two miles from the center of Indianapolis. Observers described its central building as "graceful and imposing" and "not very prisonlike in appearance." It was originally adjoined

by eight acres of land, and the whole is said to have been walled.²¹ Within the main building there were two "departments," one penal for the adult felons, the other reformatory for the delinquent girls. The two were completely separate, even to the extent that each had its own kitchen, laundry, and yard. The Penal Department had cells with a capacity of 40, the Reformatory Department dormitories which could hold 160.

Administration

Internal administration of the institution was relegated to a superintendent and her assistants. According to law, all of these officers were to be women unless the superintendent was married, in which case her husband might also be an administrator.²² Sarah J. Smith, a Quaker who had participated with the Coffins in the work of the prison committee, was first appointed superintendent. Together with her husband, who served as steward, she guided the novel institution through its first ten years. Like Emma Hall, Smith was intensely religious and deeply devoted to her work. According to contemporaries, she was also a capable administrator. The prison's third annual report, for example, observed that:

Mrs. Sarah J. Smith and her worthy companion, James Smith, seem to have been highly gifted by nature for the positions they occupy. Possessing wonderful power to control, and at the same time imbued with a lofty religious enthusiasm, Mrs. Smith . . . exercises an elevating and harmonizing influence in both departments of the Institution. Even the most reckless and abandoned characters, who have been accustomed to resist authority until perfectly hardened and desperate, soon yield to the firm discipline exercised by her .

. . .²³

Smith was conscious of her responsibility to ensure that the bold experiment succeeded. The institutional report of 1877 noted that:

This being the only governmental prison known--either in the United States or in Europe, under the entire management of women--we have felt the responsibility of our position and have sought to so discharge the trust assigned to us as to ensure success to the institution and to be an honor to our State, which has thus taken the advanced step of assigning to woman the privilege of caring for, elevating and reforming her own sex.²⁴

These were heavy burdens, especially because Smith and her colleagues, as pioneers, had little to draw on but their own convictions.

Ultimate administrative authority over the new prison was relegated to a three person Board of Managers, appointed by the governor. Originally, all these managers were men. A conflict soon developed between them and the superintendent, brought to light by Lewis Jordan, a member of a subsidiary Board of Visitors. According to Jordan, writing in 1876, the President of the Board of Managers "to some extent has supplanted the Superintendent in supervising and directing the domestic affairs of the Institution. Upon inquiry, I find that he has made his will paramount in all things." The president had visited the institution frequently and issued orders on his own. Although Smith had not complained to Jordan, "from several sources I have learned that her position has been made quite unpleasant by the continued supervision of the minutiae of the household by the President of the Board." Supporting Smith in the conflict, Jordan recommended that the law be changed to require that all the managers be women. This was accomplished in 1877, and at that point Rhoda Coffin joined the board as its president. Thereafter, the two levels of the administration were united in their goals and procedures.²⁵

Reformatories of the Northeast, as noted in Chapter 2, were characteristically managed by a three-tiered administration, with a state prison supervisory body at the top, the superintendent at the bottom, and an institutional board in between. As we have just observed, at first Indiana's women's prison had only two administrative levels, the Board of Managers and the superintendent. Changes of 1889, however, brought it into line with the more usual reformatory model. In that year Indiana established its Board of State Charities, which thereafter served as the Reformatory Institution's ultimate supervisory board. The former Board of Managers, now called the Board of Trustees, became the intermediate body which supervised daily management by the superintendent.²⁶

Sentencing

In the restrictions it placed on women who might be received and in its sentencing structure, the Reformatory Institution revealed its temporal proximity to the older, custodial model of the prison. This was particularly true of its provisions for inmates of the Penal Department. Rhoda Coffin described the types of females who might be committed as follows:

The Indiana Reformatory for women and girls is . . . composed of two branches entirely distinct and separate The one is penal, to which are sent those who are convicted of crime, such as murder, manslaughter, horse-stealing, arson, counterfeiting . . . as in any other State prison. The other department is for girls young in sin, and those exposed in the midst of evil. These are committed during minority and may be let out on good behavior on "ticket-of-leave" under surveillance of the board.²⁷

To the Penal Department were to be committed females over 15 years of age who would formerly have been sent to the State Prison, and they were to serve the same terms they would have served if at Jeffersonville. Until indeterminate sentencing was introduced in 1899, their sentences were definite. Thus establishment of the Indiana Reformatory Institution, unlike that of independent women's prisons elsewhere, was not accompanied by changes in the type of adult woman who could be incarcerated or in sentencing structure.²⁸

Provisions governing sentence to the Reformatory Department for delinquent girls were more "reformatory," but these are of less concern to us here and in any case, in 1907 girls were removed from the institution entirely. The decision to hold delinquents and felons in the same institution, it was found, had been "a great mistake. . . . (I)t must appear to all a great injustice to wayward or even incorrigible girls to be under the same roof with criminal women." The area vacated by the girls in 1907 was renovated to become a Correctional Department, to which were sent adult female misdemeanants. Introduction of misdemeanants, however, was not accompanied by the extension of term often associated with such a change in other states.²⁹

Inmates and Program

We have almost no statistical information on the characteristics of women committed to the Penal Department in its early years.³⁰ We do, on the other hand, have a few fascinating glimpses of the first prisoners, the women transferred in from Jeffersonville in October of 1873. These were the women whom the Coffins had discovered being victimized by male guards. Such discoveries notwithstanding, Rhoda Coffin later reported that the transferred women were indignant when, upon arrival in Indianapolis, they found they could no longer trade "certain favors" for liquor and tobacco. According to the Institution's

first report, "when told they could not use [tobacco] in any form, gloom and sadness settled like a pall upon them which taxed all our ingenuity to dispel. Our superior accommodations sank in utter insignificance, and . . . they wished themselves back to 'old Jeff!'" And Sara Keely, later involved in the prison's administration, described them arriving "with their white tucked skirts and morning wrappers and trunks full of fine clothing," finery shortly replaced by "plain gingham dress and smoothly arranged hair."³¹

In its program, the new prison renounced most prison traditions, attempting to replace them with reformatory methods. Like later female penologists in other states, Smith, Coffin, and their associates were decidedly anti-institutional in their biases. Inmates under their charge wore gingham dresses instead of stripes and "were allowed to decorate their rooms with pictures and plants (A) white table-cloth, flowers and attractive china dishes were not considered too good for their dining-tables." The desire to replicate a home environment influenced discipline as well as decor. There was a cell where disciplinary cases could be confined on a limited diet, but "We have not a weapon of defense in the house," Sara Keely reported in 1898, "and they all know it. We cannot govern all alike; their natures must be studied, the flash of the eye; the expression of the face must be noted. We approach very carefully the citadel of the inner life of the subject of reproof and reprimand." This emphasis on individualized, maternal treatment became a hallmark of the rhetoric on female reformatory discipline.³²

Unlike later women's prisons, the Penal Department did not have an educational program. But on the other hand, there, as in the Reformatory Department and in women's prisons elsewhere, domestic training was heavily emphasized. The main work activities involved laundering, sewing, and knitting. Little machinery was purchased on the theory that "it is best for them

to learn those much-needed branches of labor thoroughly by hand, hoping it may help them to get homes when their time expires." In other words, the Institution tried to train inmates "to occupy the position assigned them by God, viz., wives, mothers and educators of children." To supply good examples through role models was another important aspect of the prison's reformatory program. At the end of its first year the administration announced that its prisoners were under the constant influence "of pure womanly examples." Indeed, no officer was hired unless she was willing to conduct religious services.³³

This emphasis on examples of "true womanhood" was closely connected to the prison's need to prove that women could and should administrate institutions for females. The second annual report claimed,

It is already demonstrated that woman is competent to govern the depraved and desperate of her own sex by womanly measures and appliances without a resort to the rigorous means which are generally supposed to be necessary in prisons governed by men, and intended wholly or chiefly for male convicts.³⁴

Had they attempted to operate merely custodial institutions, prisons devoid of the "elevating" influences which they themselves provided, women reformers could not have justified their mission. They had to prove that they and their charges were different from men.

There was some communication between the House of Shelter in Detroit and the Reformatory Institution in Indiana: when Sarah Smith became superintendent of the latter, she visited the "penitentiary at Detroit, the better to understand the workings of a model prison."³⁵ But reform was also in the air, as the size and enthusiasm of the 1870 prison congress demonstrated. Inten-

sification of sex roles was leading to the conclusion that women and men called for very different care. The evident failure of prisons to serve as anything more than schools for crime was encouraging penologists to search for reformatory methods. These two trends produced the Detroit House of Shelter and the women's prison in Indiana. Later reformatories followed their example, making use of the same methods. But that forty years elapsed before another reformatory prison for women was established in the North Central region indicates the truly innovative character of these experiments of the 1860s.

Development of the Women's Prison System, 1900-1930

Seven of the twelve North Central states established women's prisons during the first third of the twentieth century. Previously, all seven maintained units for female state prisoners in their predominantly male penitentiaries, units which in some cases were continued for some years even after the independent women's prison was opened. These units mainly held felons, although prostitutes and other minor offenders were also sent to them on occasion. Generally they were supervised by a live-in matron. The quarters were cramped and uncomfortable, with minimal toilet facilities and little room for exercise. Their female prisoners had few activities outside of work assignments (usually laundering and sewing for the men) and Sunday religious services.

Arguments for and Backers of Independent Prisons for Women

Arguments for establishment of a new, separate prison for women in the seven states usually began with the crowded, unsanitary conditions of these women's units in the penitentiaries. Conditions for women held in local

jails, reformers also pointed out, were no better. In states which had already established a reformatory prison for young men, lobbyists for a women's prison argued that it was unfair to deny women equal opportunity for reform. The methods of reform which the lobbyists had in mind, however, were not those used in male institutions but rather those of the Northeastern women's reformatories, to which examples they frequently pointed.³⁶ In a statement of aims typical of the region's reformers, a leader of the Wisconsin women's prison movement explained that:

We do not desire to punish them; that is not our object. There are two things that are desired: one is that the woman herself may be corrected, reformed and returned to society a decent woman, if it is possible to accomplish this. The other thing desired is that society may be protected from that woman. . . . With her kind drifting up and down the streets of every small town, can you say that your sons and your daughters are in no danger from that woman?³⁷

Backers of the women's prison in Minnesota, like those of other states of the region, argued that female offenders needed special care:

The woman's institution should be on the cottage system, in a location that will give every opportunity for the healthful use of the possibilities of farm and garden, as well as the home and domestic crafts that are the delight of normal womanhood. . . . We are beginning to understand more and more that simple labors of home crafts, under kind and sympathetic supervision, . . . in the open country, will do more for the human driftwood of society than any other methods.³⁸

As in the Northeast, reformers particularly emphasized the need to incarcerate prostitutes for periods long enough to accomplish reformation. According to one, "The problem of the woman offender in Illinois is not a criminal problem. It is a sex problem. Eighty-two percent of the arrests of women each year in the State of Illinois are for sex offenses." Better conditions were necessary if the female offender was to be reformed and society protected from women who "scatter disease through every community."³⁹

Those who backed establishment of separate women's prisons in the North Central states fall into three categories. One consisted of men in various leadership positions--the penitentiary wardens who wanted to pass on their women prisoners, legislative committees which argued for the need for separate women's prisons, governors who endorsed the bills which created these institutions. Forming the second group were members of state boards of charities and boards of control who struggled, often arduously and over many years, to awaken legislators and the public to the need for separate institutions for women criminals. In some cases, the impetus for the activities of these state boards came from affiliated boards of "lady visitors" who inspected female institutions. The third and most influential group of reformers was comprised of middle-class women who mobilized public sentiment, organized letter writing campaigns, presented petitions, and argued their case before their legislatures. Some of these women operated from a base of support in women's clubs or the WCTU, other were active in their state's Conferences of Charities and Correction. One of the most effective was Mrs. Isabel Higbee, once a president of the Minnesota State Federation of Women's Clubs and leader of the women's prison movement in that state. In 1915, during the hearing on the bill for a state reformatory for women,

frail Isabel Higbee . . . was speaking. . . . (S)he was pleading for a more wholesome environment and saner, more humane methods in the state's dealings with women convicted and imprisoned for crime. She finished, groped for her chair, then crumpled to the floor. . . . Men close by sprang to assist her. But she was dead!⁴⁰

Moved by her death, the legislature immediately passed the bill and the Minnesota Reformatory for Women was established. The process by which similar institutions were founded in other states of the region was less dramatic; but in them, too, it was usually led, pushed, and prodded by middle-class women like Higbee who took upon themselves the task of saving their fallen sisters.

An exception occurred in Illinois, which established a Women's Prison in 1919 and a Reformatory for Women in 1927. The latter was created through the process outlined above. The Women's Prison, however, was created through legislative fiat. A law of 1889 had required that all female state prisoners be held at the penitentiary at Joliet. There they were, at first, incarcerated on the fourth floor of the administration building. Five years later they were moved to a separate building across the street, and in 1919 this was made a separate administrative entity, the Women's Prison, a custodial institution for felons over 18 years of age. Evidently this Women's Prison was established mainly for reasons of administrative convenience; its founding was certainly not accompanied by the lobbying process and arguments for reform which usually led up to the founding of reformatories.⁴¹

Physical Plants

With the exception of the Illinois Women's Prison, all of the female penal institutions established in the North Central states in the early twentieth century conformed to the reformatory plan developed earlier in the

Northeast. Located on extensive tracts of farmland, they were for the most part entirely new constructions, typically consisting of a central administration building around which cottages were grouped to form a quadrangle. They were unwallled but at least one, that of Wisconsin, fenced in an area around the dwelling units. In the early 1930s, two of these reformatories (those of Wisconsin and Illinois) added new, higher security buildings to which felons still held at their penitentiaries were then transferred.⁴²

Living conditions in most of these new women's prisons, which had individual "rooms" and homey decorative touches, were a considerable improvement over those in the penitentiaries (although, as just indicated, the penitentiary women did not always have a chance to appreciate them). A rather grim exception is provided by the case of Kansas. In 1916, women held in the State Penitentiary at Lansing were transferred to a farmhouse about a mile away. This farmhouse became the nucleus of the Industrial Farm for Women which was formally established the following year. But--perhaps because the women were already in situ--Kansas did not throw itself into the task of constructing a reformatory. At first women slept on the farmhouse floor, in the barn, and in tents; the chapel was located in a chicken house. Meals were prepared in the yard over an open fire, and water had to be hauled in buckets from some distance. Eventually, two wooden cottages were constructed, but these were overcrowded before they were completed, and because doors and windows were not in place before the prisoners moved in, "the snow blew in through the cracks in winter and settled on the beds." Not until 1921 was construction of brick cottages begun.⁴³

Not surprisingly, the Illinois Women's Prison established at Joliet provided a marked contrast to the region's reformatories. Consisting of one large building, this was constructed according to the usual custodial plan,

with administrative offices in the center and cells on either side. Unlike the cells of many men's prisons, however, these had windows; corridors ran down the center of the cell areas and were used for recreation and assemblies. There was also a walled yard. According to one account, this building was capacious but "inconvenient, expensive, and not only difficult, but impossible to keep clean; out of date as to plumbing and heating, an unwieldy unit." This institution for women was closed when, in 1933, all its inmates were transferred to the building specially constructed for them at the reformatory at Dwight.⁴⁴

Administration

Ultimate authority over the seven reformatories under consideration here was lodged with the states' boards of control of institutions. (The title of this body varied from state to state and over time; about 1920, many states adopted the title of Department of Public Welfare.) These boards were generally charged to make the rules governing state institutions, supervise them, and appoint their superintendents. In membership, these boards were wholly or predominately male. Between them and the prison superintendents there was no intermediate administrative body, although two states (Minnesota and Illinois) did appoint a female board of advisors to give guidance at the time their reformatories were constructed.⁴⁵

Internal administration of the institutions in all cases, including that of the Illinois Women's Prison, was relegated to a superintendent. Five of the states required that the superintendent be a woman and all seven did in fact appoint women to be the first superintendents, two of them hiring female physicians.⁴⁶ Several early superintendents of the North Central reformatories became well known nationally. One was Helen Hazard of the Illinois Re-

reformatory for Women, who had previously been superintendent of the Connecticut State Farm and had also worked at Alderson, the federal women's reformatory. Another was Florence Monahan, the spirited first superintendent of the Minnesota reformatory at Shakopee who later authored a book about her prison experiences.⁴⁷

That the twentieth century reformatories of the North Central region had a two-level administrative structure instead of the three-tiered structure common in the Northeast can be explained in part by the fact that the women's reformatory movement flourished earlier in the east. Not long after the Civil War, populous states in both regions began to establish bodies which would supervise all state-supported institutions and buffer them against the vicissitudes of politically appointed administrators. But before these state boards became strong, there was a need for an intermediate supervisory body, a board of managers, consisting of persons who lived near the institutions and could supervise internal operations. (In some northeastern cases, as we have seen, these managers also had the power to grant parole.) By the time the North Central states embarked on their intense period of reformatory building, the boards which supervised state institutions were in place and operating smoothly. Thus, perhaps, less need was felt for an intermediate board of managers. But tradition, too, seems to have played a role in determining administrative structure, for some northeastern states (Connecticut for instance) instituted an intermediate board of managers even though their state boards were firmly in place.

Sentencing Restrictions

In terms of the age of prisoners who might be received, the eight institutions established in the North Central region in the early twentieth century

imposed fewer restrictions than did some reformatories of the Northeast. All of them did establish a lower limit (of 15, 16, or 18 years) on the age of women who might be committed. But only one set the upper limit of 30 years which could be found in a number of northeastern reformatories. That was Wisconsin, which removed the upper age restriction in 1933.⁴⁸ It is not surprising that the Illinois Women's Prison at Joliet had no upper age restriction; this absence was common to custodial institutions. That all but one of the region's reformatories also had no upper age limit, however, indicates that they conformed less than some northeastern counterparts to the pure reformatory model.

The North Central institutions were also closer to the custodial model in that they were less likely to place restrictions on commitments according to conviction offenses. All but one of the eight institutions under consideration could take felons. The exception occurred in Illinois, which could at first restrict its reformatory population to lesser offenders because felons were sent to the Women's Prison. Several of the other states also maintained back-up units in their state penitentiaries to which serious or difficult cases could be sent.⁴⁹ But generally they were more willing than northeastern states to include serious offenders in their reformatory populations.

Aside from felons, four other categories of offenders could be committed to the reformatories under discussion. One consisted of misdemeanants: all seven of the reformatories received prisoners of this type, although several excluded women whose sentences fell under a certain limit, such as thirty days.⁵⁰ Second, like their northeastern counterparts, the North Central reformatories were also more than willing to receive women convicted of what some states defined as lesser offenses--vagrancy, habitual drunkenness, prostitution, and other minor public order violations. Women convicted of "delin-

quency," for example, could be sent to the Ohio reformatory, and until the mid-1920s, the Wisconsin institution received women whose only "offense" was being pregnant but unmarried. The institutions of Kansas and Nebraska concentrated heavily on cases of women with venereal disease, and those of Ohio and Wisconsin also took cases of this type. The other two categories of prisoners who might be sent to the reformatories were less significant numerically. One consisted of girls: in Iowa and Ohio, incorrigibles from the girls' training school might be transferred to the women's reformatory, and in Iowa, girls twelve years and older sentenced to life imprisonment might be sent there as well. The second consisted of federal prisoners, some of whom the Iowa and Nebraska reformatories received in their early years.⁵¹

As time went on, the tendency in these North Central reformatories was to receive more felons and to exclude misdemeanants. Just as the New York reformatory at Bedford relaxed its standards in the early 1930s to incorporate felons, so did the reformatories of Wisconsin, Nebraska, and Illinois receive more serious offenders when the women's units at those states' central prisons were closed in 1933. At about the same time Ohio limited its "reformatory" population to felons and incorrigibles transferred in from the girls' training school, and the Minnesota institution, too, eventually restricted its population to felons.⁵²

Sentencing Structures

Of the sentencing structures of the eight prisons under consideration, diversity bordering on incoherence was the outstanding characteristic. Variety characterized not only the sentencing structures of the region as a whole but also those governing terms of prisoners within specific institutions.⁵³ Aside from this striking lack of uniformity, the most important

trait of the sentencing structures, from the point of view of the development of the women's prison system, was the relative absence of the open-ended, reformatory type of sentence found in a number of northeastern women's reformatories--sentences which imposed, for example, a maximum of three years on all prisoners. Instances of these reformatory sentences did appear in the North Central region, but they coexisted with other types, even within specific prisons, and they were not widely employed.

Wisconsin provides a case in point: women sentenced to its Industrial Home could at first receive five different types of sentence. Misdemeanants and those convicted for the first time of a felony could be sentenced to definite terms of not less than one year. Second, at the discretion of the courts, prisoners could be given indeterminate sentences, their minimum and maximum limits set by the law governing the specific offense in question. Third, misdemeanants and lesser offenders could also receive indeterminate sentences of up to five years. (Here we see the influence of the reformatory type of sentence developed in the Northeast.) Fourth and fifth, the Industrial Home also received venereal disease cases, who were held till cured, and pregnant women, who were committed for the term of their pregnancy. This welter of different provisions led to great variety in the length of sentence of women committed to the institution and, one surmises, to unrest over inequities, since women convicted of the same offense could receive quite different sentences.⁵⁴

The Illinois Reformatory for Women provides another example of the sentencing diversity typical of the region's reformatories. On July 1, 1938 (after felons had been transferred in from the former Women's Prison at Joliet), this institution held 244 prisoners. Of these, 55 (22.5 percent) had definite sentences, ranging from 10 to 199 years. Another 122 (50 per-

cent) had indeterminate sentences with minimums up to 5 years and maximums up to life. Yet another 67 (27.5 percent) were misdemeanants with minimum terms of one year who were expected to serve 11 or 12 months (evidently time was subtracted for good behavior). Of a similar mixture of short and long termers at the Iowa women's reformatory, Garrett and MacCormick complained that "Mixing the two groups creates unrest in the whole institution, makes the problems of discipline more difficult and tends to reduce the effectiveness of the whole institution." The observation probably applied equally well to most of the region's reformatories.⁵⁵

Two factors appear to have contributed to the heterogeneous sentencing structures of these women's institutions. First was the great variety in the types of offenders who could be committed to them, ranging from women illegitimately pregnant to those convicted of murder. Second, the period in which these institutions were founded was one in which, through the introduction of indeterminate sentences, sentencing in general was in a state of change. Later--when the shift over to indeterminate sentences was completed and the reformatories began to accept more felons, concomitantly squeezing out minor offenders--sentencing structures became more coherent.

Prisoner Characteristics

What types of women were committed to these institutions during their first decades of operation, and of what types of crime had they been convicted?⁵⁶

As noted in the section on Sentencing Restrictions, only the Wisconsin reformatory set an upper limit on the age of women who might be received, and even Wisconsin eventually removed the restriction. Thus, predictably, in terms of age, the outstanding characteristic was the great range in the ages

of women at the time of their commitment to the eight prisons under consideration. Some were as young as the lower age restriction permitted (15, 16, or 18 years); other were in their seventies. As a general rule, the greater the proportion of "sex" offenders among commitments, the lower was the average age of commitments. For example, during the early years of the Kansas reformatory, which received mainly venereal disease cases, the majority of inmates were between 15 and 25 years old at commitment. A related rule can also be formulated: the more felons in a population, the higher the average age of the population. For example, the average age of women held at the Illinois Women's Prison, which took only felons, was relatively high--about 30 years throughout the 1920s. As the reformatories of the region began to accept more felons, the proportions of their inmates who were over 21 years also rose, as did the highest age of women who could be found among the populations of the institutions.⁵⁷

As for race, the proportions of women of color varied greatly, both within specific institutions from year to year and between institutions of the region.⁵⁸ The most consistent of the eight prisons, in terms of the proportion of women of color in its population over time, was also that which held the highest proportion of such women: the Illinois Women's Prison, where roughly 45 percent of the inmates were non-white throughout the 1920s. In other regions, too, women's prisons which limited themselves to felons also had large numbers of non-whites, so the high proportion and relative consistency of the Illinois Women's Prison are not unexpected. Elsewhere in the region, however, there were large fluctuations--at, for example, the Kansas reformatory, where the proportion of women of color varied between 16 and 31 percent during the first decade. During the first decade of the Ohio reformatory, the proportion of women of color varied from a low of 11 percent in 1918

to a high of 47 percent in 1926, with some radical changes from year to year. All we can do, at this point, is to take note of these fluctuations. It is not possible to try to explain them without data which would enable us to look for correlations between race and other factors.

Turning to the question of nationality, we find that most of the inmates of these North Central institutions were native born. The largest proportions of foreign-born women were to be found in the reformatories of Ohio and Minnesota. Even there, however, they did not exceed the 15 percent level, and often they were much lower.

When we examine the issue of the types of offenses of which inmates of these institutions were convicted, we again find a striking heterogeneity, especially in the reformatories of Ohio, Minnesota, and Nebraska, where the populations' conviction offenses sometimes ranged from disorderly conduct to murder.⁵⁹ But despite their diversity in inmates' conviction offenses, many of these institutions also specialized, receiving large numbers of offenders convicted of a particular type of crime. About half of the women committed to the Minnesota reformatory during its early years, for instance, were convicted of crimes against property, mainly larceny and forgery. Kansas and Nebraska, in particular, concentrated on cases of venereal disease. More than 80 percent of those sent to the Kansas institution in its early years were cases of this type. Nebraska began its first decade of operation with 90 percent venereal disease cases; although this figure fell to 47 percent by the end of the decade, it was still high in comparison to that of some other reformatories of the region. At the Illinois reformatory could be found, at first, many women convicted of drug-related offenses such as possession of a hypodermic needle. After inmates from the Women's Prison were transferred in, the most common conviction offenses at this reformatory became murder and manslaughter.⁶⁰

Diversity and specialization notwithstanding, it is also true that the majority of women committed to these institutions during their early years were (like their counterparts in northeastern reformatories) convicted of minor sex offenses (fornication, prostitution, pregnancy, venereal disease) and public order crimes (vagrancy, contributing to delinquency, intoxication). While we do not have comparable data on commitments to North Central male prisons, it seems likely that men were committed to them for felonies, not for crimes like fornication and vagrancy. Furthermore, we have the testimony of those who helped found these women's institutions that previously, women convicted of minor sexual and public order delinquencies were punished by, at most, a few days in local jails. Thus one effect of the founding of state-supported prisons for women in the North Central region, as in the Northeast, was to intensify the punishment of women convicted of minor crimes, especially those considered sexual in nature. Put another way, these prisons helped institutionalize differential treatment of the sexes.

Programs

Four types of program were developed by the prisons under consideration. In ascending order of the emphasis placed on them by the institutions, these were programs of academic, recreational, physical-moral (the two were sometimes paired), and vocational training.

Academic programs were the least well-developed; indeed, several of the eight prisons had none. The Nebraska reformatory, which had a stronger academic program than most of its sister institutions in the region, offered one hour of schooling a day, but this included study of the Bible and of hygiene. Furthermore, there was no regular teacher on the Nebraska staff, instruction rather being provided by the institution's bookkeeper and by inmates. Two of

the region's reformatories, however, did rise above the generally low level in their academic programs. After a slow start, that of Minnesota eventually offered inmates regular academic classes and an opportunity to take correspondence courses through the state university. And the program of the Illinois Reformatory for Women included classes on current events, debating, and acting. Inmates of the Illinois reformatory also issued a monthly newspaper, and due to the fortunate incarceration of a woman with secretarial skills, between 1931 and 1935 it was able to offer courses in typing, shorthand, and filing.

The poorest recreational programs were those of the custodially-oriented Illinois Women's Prison and the overcrowded Ohio reformatory. The other institutions of the region, however, took advantage of their extensive acreage to organize picnics and outdoor games on summer evenings. Many received help in recreation from local women's clubs and the WCTU, groups which supplied materials like books and props for pageants. Once again, the most elaborate programs were provided by the reformatories of Illinois and Minnesota. That of Illinois organized gymnastics, community singing, and Saturday evening dances and films. And at Minnesota, superintendent Florence Monahan emphasized evening musical activities in the belief that music soothed inmates by "straightening out their kinks." In general, those institutions which most enthusiastically embraced the principles of the women's reformatory movement offered the richest recreational programs.⁶¹

Half of the women's prisons founded in the region in the early twentieth century did not make a link between physical and moral training: through farming and other vocational programs, their inmates got plenty of outdoor exercise, and moral training consisted of no more than holding religious services and keeping the women out of contact with men. But in four of the North Central institutions--the reformatories of Ohio, Wisconsin, Kansas, and

Nebraska, especially the latter two--physical and moral training were blended through emphasis on the care of the venereally diseased. One Wisconsin report observed that prisoners often arrived with impaired health, "brought on principally by their own indiscreet, immoral actions," and vaginal examinations comprised not only the main form of that reformatory's admission tests but also, apparently, a regular part of the institutional program. Reports of Kansas officials included a good deal of talk about "cleaning up" inmates, especially the "internes," i.e., those "interned" for treatment of venereal disease. These internes were separated from the rest of the population for many activities and had to use separate outhouses. (According to one account, a guard stood outside the toilets to insure that the infected women used special compartments.)⁶² Overwhelming numbers of "treatments" were given to these cases. The Kansas physician's summary for the 1925-1926 biennium recorded that:

We have performed 138 operations. . . . We have administered 2,319 doses of arsphenamine, 2,227 doses of mercury, and 110 doses of silver arsphenamine, in the treatment of syphilis. We have given 92,648 local treatments of the gonorrhea cases. We sent 1,746 blood specimens to the laboratory for the Wasserman test, and 2,618 smears for microscopic examination.⁶³

Similarly, at the Nebraska reformatory "The major emphasis [was] placed on physical care and on the cure of the large numbers . . . committed for disease."⁶⁴

One of the arguments which led to establishment of the North Central reformatories, as we saw earlier, stemmed from the belief that prostitutes were spreading moral and physical disease throughout society. Thus it might have been anticipated that some of these institutions would function to

punish, through incarceration and painful "treatments," women whose "crime" was that of venereal disease. As Garrett and MacCormick pointed out after their visits to Nebraska and Kansas, however, "There is no question that these women should have hospital treatment but it seems equally clear that it might be better done in connection with some state hospital rather than with a correctional institution."⁶⁵

It was on the area of vocational training that, as a group, the eight prisons concentrated most heavily. In all of them, domestic chores constituted the most time-consuming activity. To supplement these tasks of institutional maintenance, some reformatories added courses in "domestic science."⁶⁶ Most maintained an industrial department where clothing and other products were manufactured, and at least two paid wages to inmates.⁶⁷ Another important vocational activity was farming, which, in these states, included raising animals as well as vegetables. Even the inmates of the Illinois Women's Prison farmed--until the nearby men's prison made a rock quarry out of their garden.

The programs of these North Central institutions differed in their emphases from those of female prisons in the Northeast. The former were relatively impoverished, academically. On the other hand, they offered more opportunity for industrial work and, appropriately enough (given the region), for farming. And although many of those who had backed establishment of separate women's prisons in the Northeast had also been concerned about the prostitute and her evident potential for spreading physical, moral, and even genetic disease, none of the northeastern institutions went so far as to center commitment policies and programs around the cure of the venereally diseased.

Discipline

In the reformatories of the North Central states, as in those of the Northeast, disciplinary problems were unusual in the early days. But as the institutions became filled beyond capacity, and as their populations came to include sizeable numbers of older and more serious offenders, morale deteriorated. In its fifteenth year of operation, the Wisconsin reformatory complained in particular of some of its felons,

middle-aged psychopathic women of average or superior mentality who are stubborn and at war with their environment, definitely resistive to all efforts to help them. They are quarrelsome, given to gossip and fault finding, and usually the center of intrigue and unrest . . .

. . . 68

At the Illinois reformatory, morale was reported to be "very high" until arrival of the women from Joliet, whose advent "created a strenuous situation The women from the State prison had been impregnated with prison practices and prison traditions," and to improve their attitude proved "to be exceedingly difficult." Most troublesome, claimed the institution, were black women convicted of serious offenses: "This population, without any question, gives the reformatory its greatest problems."⁶⁹

Three measures were used by the institutions under discussion to maintain discipline. One was early release, either through parole or the award of good time credits. Second was the granting of special privileges: most of the institutions "graded" their inmates according to deportment, rewarding membership in the highest grade with such privileges as permission to have visitors and to write letters. Two reformatories also rewarded good behavior with the opportunity to earn wages (Kansas) or to receive the highest possible wages (Minnesota). The third method of maintaining discipline was, simply, pun-

ishment: confinement in one's room or in a punishment cell, sometimes on restricted diet.

The silent rule, a holdover from early nineteenth century prisons, was enforced in at least two North Central women's institutions well into the twentieth century. In 1929 Garrett and MacCormick reported that silence was maintained at the Iowa reformatory at most meals, during school hours (when there must have been considerable tension between reformatory and custodial aims), and during work. There was, at first, no silent rule at the Minnesota reformatory, but when overcrowding set in in 1929, Monahan found it necessary to require silence in the sewing department.⁷⁰

In contrast to many northeastern reformatories, most of those of the North Central region did not expound lengthily, in their reports, on psychopathology, feeble-mindedness, and the need for life sentences for "defectives." Traces of such rhetoric did appear from time to time. For example, a Kansas report of 1920 attributed most institutional disciplinary problems to "nervous, unstable women," and it maintained that some women should never be released due to their "inherent weaknesses, viciousness, depravity and defectiveness." The volume of such rhetoric was lower, however, perhaps because many of the North Central reformatories were not opened until after the eugenics movement, and the concomitant enthusiasm for medical explanations of criminality, had begun to wane.⁷¹

There was a long hiatus between the early reformatory efforts in Indiana and at the Detroit House of Correction and the advent of the full-blown women's reformatory movement in the North Central region. But beginning in 1911, these states established seven reformatories in rapid succession. Arguing for the need to incarcerate women in institutions more humane and

rehabilitative than state penitentiaries or local jails, the middle class women who led the reformatory movement succeeded in replicating, in the Midwest, the cottage plan developed in the Northeast. In the reformatories they helped establish, however, there generally could be found more elements of the custodial model than in northeastern counterparts: these institutions placed fewer restrictions on commitments in terms of age and offenses, and although they, too, concentrated on young "sex" offenders, they were less likely to impose indeterminate, "reformatory" sentences. They offered less in the way of academic training, and their administrators, perhaps because they felt under less pressure to "cure" criminality, were not so likely to complain about the inherent defects of inmates who would not reform. Less shrill, moralistic, and ambitious than the reformatory movement of the Northeast, that of the North Central region was, perhaps, more realistic, facing as it did more squarely the needs of a prison system for custody and control.

Expansion of the Women's Prison System at Mid-century

This section covers two North Central states which established women's prisons in the mid-twentieth century and the two states of the region, North and South Dakota, which never established a women's prison. The first of the two prisons, that of Missouri, was established in 1955. But because its founding involved little more than a name change--the location, population, and program remaining much as they had been for decades--the prior history of this institution is also treated in some detail. Discussion of the second prison, established in Michigan in 1972, enables us to follow the treatment of women prisoners in that state from the days of the Detroit House of Shelter into the present.

Women Prisoners in Missouri

When the Missouri State Penitentiary for Women, the first independent institution for adult females in that state, was established in 1955, no more was involved than a few statutory and administrative changes. The institution continued to be located in the buildings it had previously occupied as the Women's Branch of the State Penitentiary.

Women were held at the main (and predominantly male) Missouri State Penitentiary at Jefferson City at least as early as the 1860s. There they could often be found in considerable numbers: the penitentiary held 40 women in 1881, for example, 60 in 1916. For decades wardens recommended--indeed pleaded for--their removal to separate quarters. In 1900, for instance, the warden declared that "The female cell-building is a disgrace to the State of Missouri; it is old and dilapidated, very crowded, with no facilities whatever for caring for the sick." From about 1905 until 1926, women at the penitentiary "were confined in the administration building, where they were kept locked in steel cages Those that were not needed to do the cooking, dining room or dormitory work were assigned to the factories where they worked at sewing machines, doing the same kind of work as the men in the prison."⁷²

In 1926, the women were moved to "Farm No. 1," the site which eventually became that of the independent women's prison. Including thirty-eight acres, Farm No. 1 was nearby the penitentiary, which owned it. Its main building was a large house said to have once been the home of a slave owner. Called the Women's Branch or, sometimes, the Women's Prison, this was "still part of the prison for men and . . . in no sense a separate institution."⁷³

Although there was general agreement that conditions for women were better at the Women's Branch than they had been at the main penitentiary, they nonetheless left room for improvement. Garrett and MacCormick, inspecting in

the late 1920s on behalf of the National Society of Penal Information, observed of the inmates that penitentiary methods "still dominate their treatment. This is the only institution in the country where representatives of this Society have seen women wearing a ball and chain." A decade later, visitors from another group reported that "the Women's Prison attempts nothing beyond keeping its inmates in custody and busy." Until 1934, the silent rule prevailed at meals. Prisoners did a little light farming, but otherwise they had no program. In the late 1940s, the population consisted of between 60 and 70 women, usually about 40 percent of them black. The races were segregated, but otherwise there was no classification. Condemned as a fire hazard and as unsanitary, "The place had crumbly plaster, leaky roofs and a pervasive musty odor. It had roaches, rats and an occasional snake. The women were dressed in prison gray, with blue denim overall coats for winter wear. No make-up was allowed." One of their "favored forms of recreation" was said to consist of "waving towels and handkerchiefs" at convicts in the main penitentiary.⁷⁴

A bill to establish a State Reformatory for Women was killed by the legislature's appropriations committee in 1923. In the years which followed, various visitors continued to recommend establishment of a separate institution for women. This advice was finally heeded in 1955, when a Joint Correctional Institution Study Committee recommended that the Women's Branch "be made a separate institution (T)he special and peculiar problems involved in the administration of this institution require that it be operated separately and apart from the state penitentiary and by an administration having the status and authority of a superintendent." And so the Missouri State Penitentiary for Women was established in 1955.⁷⁵

Subsequent Relocations

Not long after the new institution was established, plans were formulated for its relocation to the former Training School for Negro Girls at Tipton. One consideration which led to the move was the impossibility of renovating the central farmhouse, now nearly 140 years old "and for the most part beyond repair." But according to the St. Louis Post-Dispatch, another incentive came from the fact that women at the institution had called attention to their poor living conditions: "It was fire that started the move for a new prison for women convicts. Back in 1954, recurrent riots at the nearby prison for men stirred the women convicts to turbulence, too. Several times inmates set fire to bedding or furniture." The women's prison was moved to the remodeled Tipton facility in 1960.⁷⁶

Conditions were somewhat better at Tipton, which had amenities like a chapel and library. However, in 1974 the Tipton plant was, in its turn, condemned as outmoded, understaffed, and overcrowded, and therefore over the next two years all the women were moved once again, this time to the Renz Correctional Center in Cedar City. There Missouri's women prisoners remain today.⁷⁷

Inmates

The 1955 law which established the Missouri State Penitentiary for Women stated only that it was intended for "women prisoners in this state," without further specification. However, given that it was a "penitentiary" and that (according to a 1976 report of the Division of Correction) sentences of its inmates ranged from two years to life, it seems likely that all its prisoners were felons.⁷⁸

The typical inmate of this institution, during its first decade of operation (i.e., 1955-1965), was an older, white woman who had been convicted of a serious offense. There was considerable variation in the inmates' ages--in 1957, for example, they ranged from 18 to 75 years--but the median age at reception seems to have been about 30 years. Racially, roughly one-third were women of color. Data on offenses is scanty in official reports, but according to a St. Louis Globe-Democrat article of 1961, "Nearly a third [of the 64 current inmates] have been convicted of murder [probably including manslaughter]. The next most common offenses are thievery and passing bogus checks. Small numbers are serving sentences for robbery, assault, burglary, auto theft and narcotics charges."⁷⁹

Program

While the women's prison was still located at Jefferson City, its program consisted of little more than maintenance work, light farming, and weekly religious exercises. Some improvements occurred with the removal to Tipton. There inmates had access to courses in elementary and high school subjects, typing, and shorthand, to which were later added IBM training and courses in cosmetology and money management. Credit for the improvements was due partly to the more adequate plant, partly to Isabel Gauper, the woman who became superintendent in 1958 and was credited with liberal penological ideas. At Tipton, prisoners were allowed to wear their own clothes, to use cosmetics, and to move freely around the fenced grounds when not in classes. "Rehabilitation" was said to be "the key word in Mrs. Gauper's glossary of prison management." However, there was little room for recreation at Tipton, and because in 1974 the program was condemned as inadequate and understaffed, we may surmise that Mrs. Gauper fell somewhat short of her rehabilitative goals.⁸⁰

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The incarceration of women in Missouri differed markedly from that of most other states of the region. Aside from the brief and unenergetic effort of 1923, the state was untouched by the reformatory movement. Its women's prison was, in fact, never more than a makeshift, consisting more of a group of female felons who were moved from place to place than of an institution itself. As details like the ball and chain observed by Garrett and MacCormick suggest, the Missouri prison had more in common with women's prisons of the South than those of other North Central states.

Women Prisoners in Michigan

Efforts to Establish a Reformatory

For a century after Zebulon Brockway and Emma Hall departed, Michigan's adult female prisoners continued to be held at the Detroit House of Correction. In 1917 the state did pass a law establishing a State Training School for female misdemeanants and felons, and a rural site near Okemos was selected which seem conducive to the "rehabilitation of wayward women." However, selection of that site proved to be the death of the project because the land was four miles from the Michigan Agricultural College, and some thought the projected women's prison would be "detrimental to developing young minds at the growing state college." The Saginaw Chapter of the American Association of University Women, the Women's Club of Ann Arbor, and the governor pressed for continuance of construction. But the legislature refused to complete the project, which was finally abandoned. "Today," according to an article of 1956, "moss-covered foundations and letters in the Archives of the Michigan Historical Commission are the only reminders of what was to have been Michigan's 'wonder prison,' a dream which faded amidst political protest and financial crises."⁸¹

The Huron Valley Women's Facility

The state's female prisoners therefore continued to be held at the Detroit House of Correction, with the state reimbursing the city on a per diem basis. However, "it became evident that both the misdemeanants and state felons were not receiving humane treatment [,] nor were the living quarters adequate."⁸²

The state had little to say about programs and policies at the Detroit-run institution. Women prisoners, while having the same legal status as male felons, were treated much differently.

Although programs and activities improved slightly over the years under the sponsorship of the City of Detroit, the prison itself greatly deteriorated, program space was limited and vocational training was noticeably deficient.⁸³

In an effort to upgrade conditions, the state took over the Detroit House of Correction in 1975. But "the institution continued to deteriorate, to become crowded and to offer only very limited choices to the offender."⁸⁴

Michigan's first independent prison for women, the Huron Valley Women's Facility, was established in 1972, the point at which the Department of Corrections started to draw up formal plans. Construction began in 1974 near Ypsilanti, and the new institution, designated for felons only, opened in 1977. According to a report of the Michigan Department of Corrections, "It is an example of contemporary correctional architecture using materials not normally associated with prisoners. There are no bars, except in the control center" With a capacity of nearly 400, the institution was divided into three security levels.⁸⁵

Except for the modular housing, added at the last minute because of anticipated crowding, each prisoner has a private room, and some

prisoners have their own keys. Each living unit has its own study room, recreation room, facilities for the application of cosmetics and hair styling, kitchenette and laundry.⁸⁶

The new institution, in other words, conformed to neither the custodial model of the older House of Correction nor to the reformatory model with its cottage plan but rather to the campus model typical of recently built women's prisons.

The Huron Valley institution offered a program stronger than that available to women at the Detroit House of Correction. Concentrating on academic courses, it provided remedial education, preparation for the high school equivalency examination, and college-level work. In the vocational area, it provided courses in food services, office practices, graphic arts, nursing, and child care. A special program for drug offenders was also developed.

However, the vocational programs, with their emphasis on training women to assume traditional roles, aroused the ire of the inmates, who in 1978 filed a class action suit to protest their unequal opportunities. Michigan's male prisoners, they argued, had a choice among twenty-three vocational programs, whereas they had only five. Moreover, the programs available to them were held to be "a sham and [to] lead nowhere." These included, according to a summary of the brief, "a graphic-arts program that allows women to make personal calendars and notepaper; a building maintenance program; a carpentry course that teaches women how to make small items like jewelry boxes; a food-services program that teaches basic family cooking rather than commercial cooking." The suit called for a stronger academic program, work-release, prison industries, and training for competitive jobs. The Department of Corrections responded that it would be too expensive to set up programs for women as strong as those for men: "'such money should not be wasted because of a dogmatic attachment to an unrealistic concept of equal protection.'"⁸⁷

The Huron Valley facility faced yet another set of problems: from the start, it was badly overcrowded and had to transfer some inmates to the Kalamazoo County jail. By 1979, Michigan had begun to consider establishment of a second prison for women.⁸⁸

Woman Prisoners in North and South Dakota

North and South Dakota are the only states of the North Central region which never attempted to establish an independent women's prison. Lack of need explains their lack of interest: in 1978, the two states together had only twenty-two female felons.⁸⁹

The history of incarceration of female prisoners in these two states is similar. Since the late nineteenth century, both have held their female felons in their main state prison--in South Dakota, at the penitentiary established in 1881 at Sioux Falls, in North Dakota, at the penitentiary established in 1883 at Bismark. According to a census of 1916, of a total population of 204 at the South Dakota institution, only two were women, and of 277 prisoners in the North Dakota institution, only one was a woman. Visiting in the late 1920s, Garrett and MacCormick found seven women at the North Dakota penitentiary, supervised by a matron. "The quarters," according to Garrett and MacCormick, "are not satisfactory and the women inmates should be removed as early as possible." Similarly, these visitors found thirteen women, some of them federal prisoners, held at the South Dakota penitentiary "in a section of the prison near the administrative offices." The only work available to them was sewing, and their only recreation area was the prison's front yard. As of 1978 there were eighteen women at the South Dakota prison (3 percent of the total of 532) and only four (2 percent of the total of 200) in North Dakota, making the latter the smallest female state prisoner popu-

lation in the nation. The situation of these women was analogous to that which could be found elsewhere in the region in the nineteenth century, when states, having few female prisoners, held them in a section of their main penal institution for males.⁹⁰

From one perspective, the women's prison system of the North Central region was, in its development, a follower of the Northeast. Developing later, it repeated patterns which had appeared previously in the East: its early effort to establish penal institutions for women at Detroit and in Indiana mirrored the earlier establishment of the Mount Pleasant Female Prison in New York at Sing Sing; its reformatory movement began later; and its reformatories were not as completely reformatory in design as some of those of the Northeast, incorporating as the former did more elements of the custodial model. Considering the slow and half-hearted development of the women's prison in Missouri and the fact that two North Central states remain today, in terms of their development of women's prisons, at a point typical of the nineteenth century, it could also be argued that the North Central region is the more backward of the two.

But from another point of view, this region was advanced in some of its approaches to women prisoners. The Reformatory Institution for Women and Girls established in 1869 at Indianapolis was not only the first independent women's prison in the country to survive into the present but also the first reformatory for either sex. From the perspective of minor female offenders, the Dakotas exercised admirable restraint in not attempting to build women's prisons on the rationale that they could hold misdemeanants, "wayward women," and venereal disease cases as well as the states' few felons. And one North Central state, Michigan, was the first in either region to build one of the new campus-style prisons for women.

Notes

¹National Congress on Penitentiary and Reformatory Discipline, Transactions (Albany: Weed, Parsons and Company, 1871):543.

²It is not clear what criteria were used, between 1861 and 1873, to decide which women should go to Jackson and which to Detroit. The Jackson female population included lifers but also women with sentences under one year (see, for example, Michigan State Prison, AR 1866:37).

Conditions for women at Jackson were described in 1855 as a "reproach to the State" (Michigan Department of Corrections, Huron Valley Women's Facility, undated [1978?] and unpaginated brochure, citing an 1855 report of the Board of Inspectors of the Michigan State Prison). A report of 1866 described the Jackson women's building as "ill adapted to its purpose, being devoid of ventilation, insecure, the apartments badly arranged . . . and the building located so as to be surrounded by shops where the male convicts are at work" (Michigan State Prison, AR 1866:11). When the last women were removed in 1873, the Jackson administration expressed its hope that "the unsightly old hovel, so long used for the imprisonment of female criminals, will . . . be speedily torn down, without one stone being left upon another." It also remarked that the former proximity of males and females had been "at times, an occasion for scandal, and . . . for severe discipline" (Michigan State Prison, AR 1873:9-10).

³E. C. Wines and Theodore W. Dwight, Report on the Prisons and Reformatories of the United States and Canada (Albany: Van Benthysen & Sons, 1867): 341.

⁴Brockway introduced a system of payment for "overwork" in 1864, partly for disciplinary reasons. However, overwork was not available to all women, as it evidently was to all men, being limited "to about one-fifth of those

[women] released, such as were serving the longest terms and were the most incorrigible cases" (Detroit House of Correction, AR 1866:9; also see AR 1865:19).

⁵Zebulon Reed Brockway, Fifty Years of Prison Service: An Autobiography (orig. 1912; repr. Montclair, N.J.: Patterson Smith, 1969):106-107; Detroit House of Correction, AR 1867:3-4 [financing].

⁶On the "three years law," see Brockway, Fifty Years of Prison Service, Ch. VIII and Detroit House of Correction, AR 1869:11.

⁷Detroit House of Correction, AR 1869:46.

⁸Detroit House of Correction, AR 1868:7.

⁹Ibid.:44.

¹⁰Ibid.:7.

¹¹Blake McKelvey, American Prisons: A Study in American Social History Prior to 1915 (orig. 1936; repr. Montclair, N.J.: Patterson Smith, 1972):66.

¹²Brockway, Fifty Years of Prison Service:108-109. For more information on Emma Hall, see all of Brockway's Ch. VII, his appendix II (a biography of Hall), and Estelle B. Freedman, "Their Sisters' Keepers: The Origins of Female Corrections in America" (Columbia University, 1976, Ph.D. dissertation):394.

¹³Brockway, Fifty Years of Prison Service:110-111.

¹⁴Although the House of Shelter closed in 1874, women continued to be held at the Detroit House of Correction until 1977. The history of female incarceration in Michigan in post-Brockway years is dealt with in the last section of this chapter.

¹⁵The Indiana Women's Prison continues to be located in Indianapolis.

¹⁶Indiana State Prison South, AR 1869:7, AR 1873:11; Sara F. Keely, "The Organization and Discipline of the Indiana Women's Prison," American Prison Association Proceedings 1898:276 and Eugenia C. Lekkerkerker, Reformatories

for Women in the United States (Batavia, Holland: Bij J. B. Wolters' Uitgevers-Maatschappij, 1931):98-99 [intermixture of the delinquent girls]; Indiana House Journal, April 14, 1869 (Indianapolis: Alexander H. Conner, 1869):55.

¹⁷Undated letter of ca. Feb. 1908 from Charles F. Coffin (Lilly Library Archives, Earlham College); Lekkerkerker, Reformatories for Women:98; cf. Keely, "Organization and Discipline":275.

¹⁸Rhoda Coffin, "Women's Prisons," American Prison Association Proceedings 1885:189.

¹⁹Ibid.:188-189 (emphases as in original).

²⁰Undated letter of ca. Feb. 1908 from Charles F. Coffin (supra n. 17).

²¹Indiana Reformatory Institution for Women and Girls (hereafter IRIWG), AR 1871:6; Lekkerkerker, Reformatories for Women:99.

²²Indiana General Assembly, Laws of 1869, Ch. 32, sec. 7.

²³IRIWG, AR 1874:15.

²⁴IRIWG, AR 1877:5.

²⁵Lewis Jordan in IRIWG, AR 1876:51-54; IRIWG, AR 1877:5.

²⁶Amos W. Butler, A Century of Progress: A Study of the Development of Public Charities and Correction 1790-1915 (Indiana Reformatory Printing Trade School, 1915):13, 28.

²⁷Coffin, "Women's Prisons":192.

²⁸Indiana General Assembly, Laws of 1869, Ch. 32, secs. 13, 16.

²⁹Ibid.: secs. 19-20; Butler, A Century of Progress:6, 28 [changes of 1907]; Keely, "Organization and Discipline":276 [quotation].

³⁰The institutional reports offer little information. What data exists is most complete for 1879. According to that year's report (p. 41), there were 41 inmates in the Penal Department on 31 October. The three major

offense categories were petty larceny (of which 13 or 32 percent had been convicted), grand larceny (another 13 or 32 percent), and murder (9 or 22 percent). Two women had been convicted of forgery and one each of assault and battery, blackmail, assault with intent to kill, and kidnapping. Of the 21 inmates received during the 1879 fiscal year, 3 (14 percent) were black.

³¹Coffin, "Women's Prisons":190; IRIWG, AR 1873:15; Keely, "Organization and Discipline":276. These accounts suggest that the reports of brutal sexual victimization which originally inspired establishment of the women's prison may have been somewhat exaggerated. But on the other hand, conditions may have improved at Jeffersonville in the years between the scandals of the 1860s and the opening of the Reformatory Institution in 1873.

³²Lekkerkerker, Reformatories for Women:99, citing a description of the Indiana prison by Isabel Barrows; Keely, "Organization and Discipline":278.

³³IRIWG, AR 1874:16, AR 1875:27, AR 1873:27; Keely, "Organization and Discipline":279 [conduct religious services].

³⁴IRIWG, AR 1873:27.

³⁵IRIWG, AR 1873:15.

³⁶Backers of the women's reformatory in Wisconsin went so far as to send a delegation to Bedford, New York, to "see in what measure that institution would meet the needs of Wisconsin" (Katherine Van Wyck, "Reformatory for Women--Wisconsin's Outstanding Need" [Wisconsin Conference on Charities and Corrections, Proceedings 1912];94; also see Katherine R. Williams, "Need for a Reformatory for Women in Wisconsin" in the same volume, pp. 99-102).

³⁷Van Wyck, "Reformatory for Women":95-96.

³⁸Minnesota State Board of Control, BR 1912:16.

³⁹A. R. Bowen, ed., The Institution Quarterly IX (4) (December 31, 1918):

226.

⁴⁰Florence Monahan, Women in Crime (New York: Ives Washburn, 1941):35.

⁴¹Illinois Department of Public Welfare, AR 1929:249, AR 1921:170.

Several other states of the region had similar institutions: for example, in the early decades of the century, Wisconsin maintained a women's unit at its state prison at Waupun as did Ohio at its penitentiary (see Chapter 9). Unlike the Illinois Women's Prison, however, these units were not (insofar as we were able to determine) established through a formal and explicit legislative gesture, and thus they are not treated here as separate women's prisons.

⁴²At that time, the women's units in the penitentiaries at Waupun and Joliet were closed. However, the area of the Wisconsin reformatory where the felons were held was called the Prison for Women until 1945, despite the fact that the entire institution was under one administration. A Wisconsin law of 1945 (Ch. 343, sec. 1) formally consolidated the two parts into one institution that was thereafter known as the Wisconsin Home for Women.

⁴³Lekkerkerker, Reformatories for Women:117-118.

⁴⁴Illinois Department of Public Welfare, AR 1921:170 [quotation]; William B. Cox, F. Lovell Bixby, and William T. Root, eds., Handbook of American Prisons and Reformatories, Vol. I, 1933 (New York: The Osborne Association, 1933):188-189 [closing].

⁴⁵Minnesota, Session Laws of 1915, Ch. 324, sec. 6; Illinois General Assembly, Laws of 1927:208 (no chapter number). As for the administration of the Illinois Women's Prison, "Until the adoption of the Administrative Code of 1917, the Warden [of Joliet] had supervisory charge of the women's prison," which thereafter became a separate administrative entity (Florence Northridge Beatty, "The Woman's Prison," Welfare Magazine XVIII [July 1927]:n.p.).

⁴⁶In Illinois, law required that the superintendent of the reformatory be a female; there was no similar requirement for the superintendent of the

Women's Prison, although that institution too seems consistently to have been headed by a woman.

⁴⁷See supra n. 40. "One great danger to keep in mind," wrote Monahan in a line which illustrates her antipathy to institutionalization, "is that of becoming so thoroughly organized and standardized that needed changes of rules or policies are difficult to make" (Minnesota State Reformatory for Women, BR 1930:7). Inspired by the suffrage movement, Monahan studied at Northwestern College of Law, completing the four year course in three and serving, at graduation, as class valedictorian. She left Shakopee in 1932 to become head of the Geneva, Illinois, Training School for Girls and in 1937 became superintendent of the California Institution for Women at Tehachapi (Monahan, Women in Crime:23-25, 105-108, 175-176).

⁴⁸This was the point at which the felons were transferred in from the penitentiary.

⁴⁹Until 1933, women convicted of murder or of a felony beyond the first could be sent to the women's unit at the Wisconsin state prison at Waupun. Difficult cases from the reformatories of Nebraska and Illinois could be sent to those states' central male prisons until 1930 and 1933, respectively.

⁵⁰Those with sentences of under thirty days were excluded from the Iowa and Ohio reformatories; those with sentences under six months from the Illinois reformatory; and those with sentences under one year from the reformatory in Wisconsin.

⁵¹Wisconsin Industrial Home for Women, BR 1922:329 [cases of pregnancy and venereal disease]; Iowa, Acts of 1915, Ch. 216, secs. 7, 10 [commitments under 16 years of age]; Lena A. Beach, "The Women's Reformatory," Bulletin of Iowa Institutions . . . 1923 XXV:55-56 [federal prisoners at Iowa]; Nebraska Board of Control, BR 1931:190-191 [Harrison Act offenders at the Nebraska

reformatory]. Commitments to the Ohio reformatory are discussed in more detail in Chapter 10, and the focus of the Kansas and Nebraska reformatories on venereal disease cases is dealt with more thoroughly below.

⁵²Wisconsin State Prison, BR 1934:42; William B. Cox and F. Lovell Bixby, eds., Handbook of American Prisons and Reformatories: Volume 1, West North Central States, 1938 (New York: The Osborne Association, 1938):277 [Nebraska]; Cox, Bixby, and Root, Handbook of American Prisons, 1933:188-189 [Illinois]; Ohio, Laws of 1929, House Bill No. 234, sec. 2148-1. That the Minnesota reformatory eventually restricted itself to felons is indicated by the American Correctional Association Directory 1980 (College Park, MD.: American Correctional Association, 1980):129, which states that the Shakopee institution currently holds only adult female felons; evidently this restriction was imposed after the ten-year cut-off point used in the present study.

⁵³This was true even of the Illinois Women's Prison, where some prisoners had definite sentences, others indeterminate.

⁵⁴Wisconsin, Session Laws of 1913, Ch. 723, sec. 4944-0 (first three types); Bennett O. Odegard and George N. Keith, A History of the State Board of Control of Wisconsin and the State Institutions: 1849-1939 (Madison: State Board of Control, 1939):228 (" . . . the Board of Control has designated this home [Industrial Home for Women] as one of the state institutions to which the judge of any court of record may commit any female person afflicted with a venereal disease and who has refused to take or continue treatments"); Wisconsin Industrial Home for Women, BR 1926:477 [examples of cases sentenced for term of pregnancy or until cured of venereal disease].

⁵⁵Illinois Department of Public Welfare, AR 1938:611-612; Paul W. Garrett and Ausin H. MacCormick, eds., Handbook of American Prisons and Reformatories, 1929 (New York: National Society of Penal Information, 1929):344-345.

⁵⁶The reader should be aware of problems with the data presented in this section and with generalizations drawn from them. All of the data are taken from official reports--not necessarily reliable sources. The great variety in the prisoner populations makes it difficult to generalize about prisoners in the region as a whole. For the Illinois reformatory, we have data only on the first five years of operation, in contrast to ten years' worth of data for the other institutions. Some institutions did not report on all the variables which we consider. Others reported data which cannot be utilized; for example, we cannot use Nebraska data on age of inmates at reception because the reports included babies in their statistics on age.

⁵⁷As we are dealing with eight institutions and at least five reports on each institution, it is impossible to specifically document each statement made in this section. The reader is generally referred to the yearly reports published by the institutions during their first decades of operation; these were the data sources for this section of Prisoner Characteristics.

⁵⁸For this paragraph on race, we have no information from Wisconsin and Minnesota and only limited data from Nebraska and the Illinois reformatory.

⁵⁹On offenses, we have no data from Iowa (due to the nature of that state's reporting system) and information on only the first five years of operation for the Minnesota and Illinois reformatories.

⁶⁰Most of the information on offenses was drawn from state reports (see n. 57). However, for Kansas we also leaned on a very useful article by the institution's chaplain, W. R. Ward, "The Social-service Work of the State Industrial Farm for Women," Proceedings [of the] Kansas Conference of Social Work . . . 1922 (Topeka: B. P. Walker, 1923):45-47, and for Nebraska, we supplemented state reports with Lekkerkerker, Reformatories for Women:123 and Garrett and MacCormick, Handbook of American Prisons and Reformatories, 1929: 575.

⁶¹Florence Monahan, "Parole Preparation for Women Offenders," Minnesota State Board of Control Quarterly 24 (2) (November 1924):37.

⁶²Wisconsin Industrial Home for Women, BR 1924:366 ["immoral actions"], 367, 370, BR 1922:327-328, BR 1926:469 (according to which women with venereal disease were often tricked into consenting "to 'plead guilty' . . . upon representations of attorneys, social workers and other interested, that the condition is not serious and that three or four weeks time will 'complete the cure'"); Ward, "The Social-service Work of the State Industrial Farm for Women," Lekkerkerker, Reformatories for Women:199 [segregation of Kansas internes]; Kansas Women's Industrial Farm, BR 1920:6 [strict sanitary measures necessary because 95 percent of the women have venereal diseases]; Monahan, Women in Crime [guards].

⁶³Kansas Women's Industrial Farm, BR 1926:21.

⁶⁴Garrett and MacCormick, Handbook of American Prisons and Reformatories, 1929:575.

⁶⁵Ibid.:366; also see p. 575. I am grateful to Dr. Ronald Gold of the Toronto Hospital for Sick Children for his help in understanding the treatment of venereal disease in the early twentieth century. According to Dr. Gold, severe side effects of mercury treatments for syphilis "were so common that most patients did not complete the course of treatment [which may have been why some women had to be tricked into treatment; see n. 62]. The same applies to salvarsan. Combined treatment with salvarsan (arsphenamine) and mercury was the standard regimen in the 1920s and the series of weekly injections for six weeks seems to have been a very popular method. However, because the side effects of mercury and of arsenic compounds were so severe, the U.S. Public Health Service began a study in the 1930s of not treating syphilis--the Tuskegee experiment. . . . (D)octors had finally realized that mercury plus

arsenic treatment may have killed as many patients as syphilis. The major fatal reaction was from the severe liver damage caused by salvarsan.

". . . Mercury was usually given by intramuscular injection and was very painful. . . . The most common severe side effects of mercury treatment were kidney damage, stomatitis (inflammation and ulceration of the mouth), and severe skin rashes. . . . Arsphenamine (also known as salvarsan) . . . caused fatal adverse reactions more frequently." [Personal communication of 27 January 1980.]

⁶⁶After a lengthy description of the "pioneer crudeness" of institutional activities at the Kansas Industrial Farm, Lekkerkerker delivered her opinion that "It should be remembered that Kansas is a rural state where the homes which the majority of the Farm girls will have to conduct offer few of the modern conveniences. The girls of the Farm have to learn, therefore, to work with the simplest of utensils and materials, and to use their ingenuity to make the best of it" (Reformatories for Women:119). Although other reformatories were less primitive, most of them also operated on the principle, endorsed here by Lekkerkerker, that their most important job was to prepare inmates to be good housewives or servants.

⁶⁷Kansas (Laws of 1917, Ch. 298, sec. 19) and Minnesota (Monahan, Women in Crime:56).

⁶⁸Wisconsin State Board of Control, BR 1936:515.

⁶⁹Illinois Department of Public Welfare, AR 1931:376, Annual Reports of the Department of Public Welfare, . . . June 30, 1935:325, AR 1938:612.

Another troublesome group, homosexuals, was identified at the Minnesota reformatory. However, Superintendent Monahan discussed them without too much alarm (Minnesota State Board of Control, BR 1928:142):

For the first time we have had a series of homosexual problems due largely to overcrowding. The women most apt to indulge in this sort of thing are those who have been in institutions for juvenile delinquents during adolescence. Others do it to substitute normal association with men, and others as imitators of what they see going on.

⁷⁰Garrett and MacCormick, Handbook of American Prisons and Reformatories, 1929:341; Minnesota State Board of Control, BR 1928:141-142.

⁷¹Kansas Women's Industrial Farm, BR 1920:6.

⁷²Missouri State Penitentiary, BR 1882:244; U.S. Department of Commerce, Bureau of the Census, Statistical Directory of State Institutions for the Defective, Dependent, and Delinquent Classes (Washington: Government Printing Office, 1919):222-225 [giving statistics for 1916]; Missouri State Penitentiary, BR 1900:6; Missouri Department of Penal Institutions, BR 1928:14.

⁷³Missouri Department of Penal Institutions, BR 1928:14; Garrett and MacCormick, Handbook of American Prisons and Reformatories, 1929:534 [quotation]. At some point the farm was enlarged, for according to the Missouri Department of Corrections, BR 1957:3, by that time it consisted of 78 acres.

⁷⁴Garrett and MacCormick, Handbook of American Prisons and Reformatories, 1929:543; U.S. Prison Industries Reorganization Administration, The Prison Problem in Missouri (Washington, D.C.: U.S. Government Printing Office, 1938): 113; "Tipton Institution Restores Women," St. Louis Globe-Democrat, 3 September 1961 [last two quotations].

⁷⁵Missouri Department of Penal Institutions, BR 1928:14, citing Missouri Senate Journal, 1923:869; Missouri General Assembly, Final Report of the Joint Correctional Institution Study Committee (Jefferson City, 1955):9; Missouri, Missouri Statutes, Vol. 12A (Kansas City: Vernon Law Book Co., 1962), sec. 216.375 (passed in 1955).

⁷⁶Missouri Department of Correction, BR 1959:10; "Blair Dedicates New Women's Prison at Tipton," St. Louis Post-Dispatch, 12 February 1960.

⁷⁷"Closing of 2 Correctional Facilities for Women Urged," St. Louis Globe-Democrat, 19 and 20 January 1974, citing a study by the Missouri Commission on the Status of Women which concluded that Tipton was "outdated, understaffed and overcrowded." We are grateful to William R. Turner, Superintendent of the Renz Correctional Center, for an account of the events leading up to the transfer of women to Renz (personal communication of 1 February 1980).

⁷⁸Missouri Division of Correction, AR 1976:17. For the establishing legislation, see n. 75, last citation. The state's prison reports provide only scanty information; thus the data on which this section is based are few in number, and we have tried to supplement them with newspaper reports.

⁷⁹Missouri Department of Corrections, BR 1957:12 [includes estimated median age of 30 years]; "Tipton Institution Restores Women," St. Louis Globe-Democrat, 3 September 1961. A 1970 newspaper report appeared after our cut-off point at the end of the institution's first decade of operation; however, because there is so little other information, its data is relevant here. According to this article ("Women's Prison Comfortable, But Price is Freedom," Daily Capital News, 9 July 1970), there were, in 1970, 94 women at Tipton. Their ages ranged from 17 to 57 years, with the average in the early thirties. Two-thirds were white. Most had been convicted of burglary or check forgery, but 16 (17 percent) had been convicted of murder or manslaughter.

⁸⁰"Tipton Institution Restores Women," St. Louis Globe-Democrat, 3 September 1961.

⁸¹C. Ray Freeman, "The Ruins at Okemos," The State Journal, 19 September 1965. For arguments which preceded the abortive reformatory effort, see Michigan State Board of Corrections and Charities, BR 1914:7-8. There was also a very early women's reformatory movement in Michigan as in several northeastern states; see Michigan Board of State Commissioners for the General Supervision of Charitable, Penal, Pauper, and Reformatory Institutions, BR 1878:53.

⁸²Personal communication from Clarice Stovall, Assistant Deputy, Michigan Department of Corrections, 12 August 1980.

⁸³Michigan Department of Corrections, Huron Valley Women's Facility (undated [1978?] and unpaginated pamphlet).

⁸⁴Ibid.

⁸⁵Ibid. According to this pamphlet, "Public Act 244 of 1967 appropriated funds for preliminary planning of [the] new facility." But as it was not until 1972 that "the department began formal procedures to initiate construction" at Ypsilanti, we use the later date as the point of establishment.

⁸⁶Ibid.

⁸⁷Joan Potter, "Women and Job Training--Taking Their Case to The Courts," 5 (3) September 1979) Corrections Magazine:47.

⁸⁸Michigan Department of Corrections, Huron Valley Women's Facility.

⁸⁹U.S. Comptroller General, Women in Prison: Inequitable Treatment Requires Action (Washington, D.C.: General Accounting Office, 1980):40-41.

⁹⁰U.S. Department of Commerce, Statistical Directory of State Institutions for the . . . Delinquent Classes:238-241 [1916 data]; Garrett and MacCormick, Handbook of American Prisons and Reformatories, 1929:730, 889, 894; U.S. Comptroller General, Women in Prison:40-41.

CHAPTER 4

DEVELOPMENT OF THE WOMEN'S PRISON SYSTEM IN THE SOUTH

The southern region includes sixteen states, only one of which (Mississippi) has never established a distinct penal institution for women.¹ A total of twenty-one women's institutions have been founded in the region, but we should quickly note that (1) several of these are no longer in operation and (2) many of them do not meet our primary definition of an independent women's prison because they were not established through legislative action. Only nine of the twenty-one institutions, in fact, were founded by state legislatures, the others having been created administratively; and in two of these nine cases, the legislative action occurred a number of years after the institution was administratively established. Clearly, it is necessary to include consideration of institutions which do not fully qualify under our primary definition as independent women's prisons if we are to understand the development of female corrections in the South.

Table 4-1 lists the twenty-one institutions in the chronological order of their establishment. Dates of establishment are bracketed in those instances where the institution was created merely through administrative decision; unbracketed dates indicate legislative action. Dates of opening are bracketed to signify that women had in fact been held at the same location for a period before the institution's formal "opening," a phenomenon explained more clearly later in the chapter. Dates which could not be confirmed by a second source are followed with a question mark.

TABLE 4:1
WOMEN'S PRISONS OF THE SOUTH

	Original Name	Date Es- tablished	Date Opened as a Women's Prison
Texas	Goree Farm	[1910]	1911?
Arkansas	State Farm for Women	1919	1920
Alabama	Wetumpka State Penitentiary (later moved to Julia Tutwiler Prison, which opened in 1943)	[1923]	[1923]
North Carolina	Industrial Farm Colony for Women	1927	1929
Delaware	Women's Prison	[1929]	[1929]
Virginia	State Industrial Farm for Women	1930	1932*
North Carolina	Women's Prison	[1933]	1934
Kentucky	Women's Prison	[1938?], 1964	1938
Maryland	Women's Prison	1941	1940
West Virginia	State Prison for Women	1947	1948
Arkansas	State Reformatory for Women (moved in 1975 to Pine Bluff and known as Women's Unit)	1951	1951
Florida	(Original name not determined; today known as Florida Correc- tional Institution)	[1956]	1956
Louisiana	Women's Prison (Women's Institution, State Penitentiary for Women)	[1961?] 1970	1961
South Carolina	Harbison Correctional Institution for Women (moved in 1974 to Columbia and known as Women's Correctional Center)	[1964]	1964
Tennessee	Prison for Women	1965	1965
Georgia	Rehabilitation Center for Women	[1968]	[1968]
Oklahoma	Women's Unit	[1971]	[1971]
Oklahoma	Mabel Bassett Correctional Center	[1973]	1975
Texas	Mountain View Unit	[unknown]	1975
Kentucky	Daniel Boone Career Development Center	[unknown]	1976
Florida	Broward Correctional Institution	[1977?]	1977?

*Formally opened in 1939.

Several regional characteristics typify the development of the women's prison system of the South. One is the absence of establishing legislation. Legislative action accompanied the establishment of nearly all female institutions of the Northeast and North Central regions; but as already noted, the majority of women's prisons in the South were created administratively, without legislative involvement. Second and even more striking is the poor quality of care which incarcerated women received in the South, even after separate institutions were established for them. Lack of adequate care correlated strongly with lack of establishing legislation; as we shall see, the best of the southern institutions were those in which state legislatures were directly involved at the start. Third, there was virtually no women's reformatory movement in the South. Only four reformatories were established in the area (of which two were eventually closed); these were, significantly, among the few institutions created through legislation. Fourth, female prisoners in these southern states were relocated with relative frequency. Whereas the states of the Northeast and North Central regions, after establishing women's prisons, usually continued to hold female prisoners in these institutions, the southern states tended to move this population around from one make-shift location to another. This factor, in combination with the lack of establishing legislation, helps explain a fifth characteristic: the absence of a clear chronological pattern in the development of the women's prison system of the South.²

Reformatories of the South

The four women's reformatories established in the South were the Arkansas State Farm for Women (created in 1919), the North Carolina Industrial Farm Colony for Women (1927), the Virginia State Industrial Farm for Women (1930),

and the Maryland Women's Prison (1941), later renamed the Maryland State Reformatory for Women. If titles alone were a reliable guide, this section would also deal with the Arkansas State Reformatory for Women, established in 1951 at Cummins Farm. But the women's institution at Cummins Farm, a purely custodial operation, bore no resemblance to a reformatory; even an Arkansas penal investigatory committee referred to it as "the so-called Reformatory for Women."³ Therefore we deal with it later, in the section of Farm Units.

Previous Arrangements

All four of the southern states which established reformatories originally held their female felons at their central penitentiaries. There the nature of their incarceration resembled that described in more detail in the chapter on Tennessee (Chapter 6). In very early years, when few women were sentenced to state prisons, these convicts were probably mixed in with the general population. As the female populations grew, women came to be isolated and, in better years, put in charge of a matron. (For example, by 1826, the Baltimore penitentiary had a female department of six rooms, located on the second story of the south wing; there the female convicts were supervised by a Mrs. Jerijo, who appears to have the first prison matron in the country.)⁴ In at least one case, a separate building was eventually set aside for the females; after an inspection of the Virginia Penitentiary, Garrett and MacCormick reported in 1929 that:

Seventy women prisoners are quartered in a separate yard and cell house separated by a wall from the main prison. Their cell house is similar to the new one in the main prison and but one prisoner is assigned to a cell. The women work in the clothing shop in an industrial building in the main prison on one of the contracts. They are in general charge of one matron.⁵

In a slight variation on this pattern, in 1921 Maryland moved most of its women convicts out of the penitentiary to the House of Correction at Jessup; but the conditions of incarceration there resembled those of the penitentiaries--close quarters, contract work, high security. Eventually these women's quarters in the penitentiaries and at the Maryland House of Correction became horribly overcrowded, one factor which, in several southern states, fed into establishment of reformatories for women.

Women were, of course, also held in county jails; as in states of the Northeast and Midwest, concern about these jail conditions in some cases also contributed to establishment of a separate reformatory. This was most clearly the case in North Carolina. According to a 1922 report of the North Carolina State Board of Charities and Public Welfare, in one county jail, "when women are confined they must be kept in the jailer's corridor. There are not toilets in the jailer's corridor, so that the women are compelled to use buckets with no privacy except such as the darkness might afford. The judge refuses to send white women to this jail" The Board also reported that "During the past summer negro men carried the keys to two county jails, and [in] at least one of these jails the negro had free access to all wards, including that for white women." Two years later, the same body reported that a male guard had picked the lock of a woman's cell in one county jail and "spent one night in her room. The next night he took her into the men's quarters. He contracted syphilis." The guard in this story seems to have received just deserts; for women in such jails, however, justice was frequently synonymous with humiliation.⁶

Backers of the Reformatories and Their Arguments

One set of supporters of southern reformatories for women was comprised of prison officials. They had both practical and chivalrous reasons for wanting women removed from the penitentiaries. The superintendent of the Virginia Penitentiary, for example, several times recommended establishment of a "separate prison for women. Present conditions are a menace to the discipline and welfare of the inmates of this institution. I do not believe that men and women should be placed in visual contact in prison. It causes moral perversion, sexual diversion and degeneracy." Similarly, the Maryland Superintendent of Prisons remarked in 1936 that the women's department "has been an eyesore and a heartache to me for the past six years It is not fair to the women, it is not fair to the matron, it is not fair to the guards nor fair to the administration, to keep women confined under the same roof with men" ⁷

State boards of charities and public welfare were also active supporters of the southern reformatories, in large part, it seems, out of alarm over prostitution and the spread of venereal disease. (In this respect, the southern reformatory "movement" resembled that of the North.) According to the North Carolina State Board of Charities, most

women offenders . . . are receiving no constructive treatment either physical or moral. Those who are convicted of some offense are usually fined a nominal amount, given a few weeks in jail [conditions in which, as we have seen, were also a matter of concern to this body], or ordered to leave town in a given time. . . . (In this way Raleigh contributes to the problem of immorality in Durham; Durham to Greensboro; Greensboro to Winston-Salem, and so on. It is a vicious cycle of crime, changing only in the personnel. The problem still remains untouched.) ⁸

Virginia's Department of Public Welfare was particularly concerned about a group of women, "foci of physical and moral corruption," who had been singled out for special treatment by an act of 1922. This act had provided for commitment to the Department of a group of women, "largely of the prostitute type . . . many of them . . . diseased and feeble-minded," on indeterminate sentences of three months to three years. But the Department could find few places to send such women. Identification of a similar group in Arkansas seems to have fed into the movement there as well: during World War I, between four and five hundred women convicted of "immorality" were detained for treatment (evidently of venereal disease) at a clinic in Little Rock. Thus just before establishment of the reformatory in Arkansas, there was considerable concern about female sex offenders and a localized build-up in their numbers.⁹

A third group of backers consisted of prison reformers representing the National Society of Penal Information. Garrett and MacCormick, one set of the Society's emissaries, published a state-by-state report in 1929 in which they criticized the conditions under which women were held. In Virginia, they objected to the housing of women in a unit adjoining the men's penitentiary but even more to the practice of "using them in a section of the prison industries. It is accepted as a sound prison principle that women prisoners should be removed from the prison for men and cared for in some institution for women." Garrett and MacCormick were also critical of conditions for women at the Maryland House of Correction, as were other investigators for the Society in 1933.¹⁰

In only two of the southern states did women activists constitute an important pressure group for independent female institutions. A visit by Martha P. Falconer to Arkansas "led to the movement to create a State reforma-

tory for delinquent women," an institution built with not only federal funds but also "proceeds of the public campaign . . . for the erection of institutions for the care of women and girls." And in Maryland, according to a Board of Correction report of 1940, "With the completion of the new Women's Prison at Jessups, . . . we have accomplished what the women's organizations of the State and other interested groups have been advocating before our Board and before the Legislature for years."¹¹ In other southern states, however, middle class women apparently took little interest in the reform of female corrections. Their relative indifference helps explain why the women's reformatory movement was so weak in the South.

Locations and Plants

In their physical aspects, the four southern reformatories generally resembled their sister institutions to the North, although a closer look reveals that they conformed less closely to the "pure" reformatory plan. All four were relatively isolated on extensive tracts of farmland. But two were located near to or on land belonging to a men's institution: the Virginia Industrial Farm was established on state-owned land in Gouchland County, about five miles distant from the State Farm for Men; and the Maryland Women's Prison was established at Jessup on land which was part of the Maryland House of Correction. As indicated in Chapters 2 and 3, women's institutions in the Northeast and North Central regions were likely to be entirely separated from men's prisons.

Only two of the four southern reformatories, those of Maryland and North Carolina, were built on the cottage plan. The Maryland institution seems to have most closely resembled women's institutions to the North, where the cottage plan was typical, in that it used its cottages to classify inmates

into various custody levels. The North Carolina Industrial Farm Colony, by the end of its first year of operation, had only two inmate buildings, with a capacity of thirty each. These bore a vague resemblance to the "cottages" of northern reformatories but were called "dormitories" (evoking the more typical southern plan), and each in fact included several rooms designed to hold more than one inmate. The other two southern reformatories departed more radically from the usual reformatory design. The legislation which established the Arkansas State Farm for Women at Jacksonville had called for cottages, but at first its inmates were bunked on porches and in a large tent, and later buildings were described as dormitories.¹² The first building at the Virginia institution was a two-story, L-shaped, concrete structure later supplemented by three other custodial-buildings.

The southern reformatories, then, made some efforts to imitate their progressive prototypes to the North. However, none of them entirely succeeded in terms of both location and physical plant.

Commitment Restrictions

As noted in earlier chapters, the early and "purest" reformatories of the North took only adult women under thirty who had been convicted of misdemeanors or lesser offenses, mainly women who had committed some sort of sexual impropriety. None of the southern reformatories was this restrictive. All took adult women of any age, and only North Carolina legislatively restricted commitments to misdemeanants. (Thus that state's female felons remained at the prison at Raleigh, necessitating the creation of yet another women's institution in 1933.) Interestingly enough, the North Carolina Reformatory also excluded women of color. With a total capacity of only sixty, it was forced to be selective; and, as the State Board of Charities and Public Wel-

fare explained in 1936, "The Colony . . . is concerned entirely with the care of women misdemeanants . . . of a trainable type," a concern which seems by definition to have eliminated blacks.¹³ For its first seven years of operation (i.e., before the opening of the three new buildings which enabled it to more than double capacity), the Virginia reformatory also excluded non-whites; further, it did not, until 1939, receive transfers from the penitentiary.¹⁴ The Arkansas and Maryland reformatories received both felons and certain misdemeanants from the start. On the whole, then, the reformatories of the South were less "rehabilitative" in thrust than northern counterparts in that they generally did not try to limit themselves to women whose ages and offenses suggested the greatest potential for reform. It is surely not a coincidence that the most restrictive southern institution of this type, North Carolina's reformatory, was eventually closed; apparently it could not continue bucking the region's overall orientation toward custodialism.

Sentencing Structures and Sentences

The three southern reformatories which received felons could hold such prisoners for the maximum terms specified by the law governing the particular offense. But three of the southern reformatories (those of North Carolina, Virginia, and Arkansas) did conform to the reformatory model by providing indeterminate sentences with a three year maximum for their misdemeanants. (Virginia did so not through the law accompanying establishment but rather through the practice of concentrating, at first, on women sentenced under the special act of 1922.)¹⁵ These institutions were thus similar to those of the North in that their establishment was accompanied (or, in the case of Virginia, preceded) by laws which extended the amount of time which might be served by misdemeanants.

However, in the reformatories of North Carolina and Virginia, during their early years of operation, there was in fact a very rapid turnover in population, suggesting that misdemeanants did not actually serve lengthy sentences in those states. (At the North Carolina Industrial Farm Colony, the average term served between 1936 and 1938 was said to be 6 to 8 months; and at the Virginia State Industrial Farm, the "diseased and feeble-minded" prostitutes at whom the special act of 1922 had aimed were said to have served, in 1936, an average of 5 months.) In Maryland, the one state of the four which did not provide a reformatory-type of sentence for misdemeanants, all women prisoners had determinate sentences, their maximums set by the statute for the offense in question, until 1945. Thereafter both determinate and indeterminate sentencing were available, but length of term continued to be keyed to the seriousness of offense.¹⁶

The southern reformatories were, then, affected by northern practices in the provision which three of them made for misdemeanants. However, at least two (and perhaps three; we have no data on time served for Arkansas) moved inmates through the system at a rate which many northern reformatories would have considered too rapid for rehabilitation. Further, Maryland had no reformatory-type of sentence. Moreover, all but one (the reformatory of North Carolina) also took felons. These factors indicate that the northern influence did not penetrate too deeply.

Inmates

Our information about the types of women sentenced to the southern reformatories is sketchy at best. In some cases, no institutional reports were issued; in others, reports were issued but contained little useable data; and in one case, that of Arkansas, state officials would not let the researchers

for this project read the reformatory reports. Despite these limitations, however, it is possible to piece together a partial picture of the women who were incarcerated in the reformatories of North Carolina, Virginia, and Maryland during their first decades of operation. Predictably, the variations in commitment restrictions caused the profiles to vary considerably.

None of the four institutions, we recall, placed a limit on the age of women who might be committed. One seems to have received mainly younger women--North Carolina, the southern reformatory which restricted itself entirely to misdemeanants. Of those committed in North Carolina in 1931 and 1932 (the only years on which we have age data), 56 and 66 percent, respectively, were said to be under 21. We expected to find similarly high proportions of young women in the population of the Virginia reformatory during its early years of operation, i.e., before it became able, through expansion, to receive transfers from the penitentiary. But inexplicably, the proportion of those under 21 years in the Virginia institution ranged between only 23 and 32 percent in the years 1932 through 1936. (More predictably, it did fall to 17 percent in 1942, after the reformatory began to receive women who previously would have been sent to the penitentiary.) In Maryland, too, the proportion of young women was low during the early years of operation, ranging from only 15 to 32 percent. In this case, the low proportion of young women is more easily understood, for this institution received many felons from the start.¹⁷

As for racial characteristics, we have already observed that the North Carolina reformatory took only whites and that Virginia excluded women of color until 1939. We have data on commitments during 1942 to the Virginia institution which indicate that after the 1939 lifting of informal restrictions, the population became heavily black: of a total of 220 inmates held during the fiscal year 1942, 175 or 79.5 percent were reported as "colored."

Maryland, too, had high proportions of blacks in its women's reformatory. Blacks comprised 69 percent of all commitments in 1941, for example, and 60 percent of all commitments in 1950.¹⁸

Information on inmates' nationality is available only for the Maryland reformatory. During that institution's first decade of operation, the proportion of admissions who were identified as foreign-born did not rise above 2.4 percent.¹⁹ We can speculate that Virginia and North Carolina did not report information on nationality because the great majority of their female inmates, too, were native-born. This speculation is supported by the detailed study of intake records of women convicts in Tennessee (Chapter 6), where the overwhelming majority of such prisoners were native-born. But in the absence of more complete data, we can only surmise that most inmates of southern reformatories were native-born.

Our data on conviction offenses for the southern reformatories (again with the exception of Arkansas) is somewhat more complete. During its early years, the North Carolina institution (which took only misdemeanants in any case) concentrated on prostitutes and women convicted of related offenses such as keeping a disorderly house. To an undeterminable extent, the Virginia reformatory also focused on sex offenders during its first years of operation; a report of 1933 observed that its population usually included 50 to 60 (out of an unspecified total) of the Department of Welfare cases serving the indeterminate three-months-to-three-years sentence applied by the 1922 law to sex offenders. In 1942 (several years after the informal restrictions on commitments were lifted), of a total of 445 women received by the Virginia Industrial Farm, 50 percent were misdemeanants.²⁰

Our most complete data on conviction offenses pertain to the Maryland reformatory, which could receive women convicted of crimes from prostitution to

murder. During its first year of operation, the outstanding conviction offenses were larceny, assault, vagrancy, and murder, in that order. With some reversals in order, this general pattern was maintained through the first four years. But gradually prostitution took over as the main conviction offense and remained outstanding (comprising 22 percent of all convictions, for example, at the end of the first decade of operation). There is no obvious explanation for this change, which was evidently one of policy.²¹

To summarize as best we can from the limited data available: in a number of respects these southern reformatories seem to have tried to emulate northern counterparts by concentrating on young white women who had been convicted of sex offenses. But they were far from successful. They were more likely than many northern counterparts to take older women, blacks, and those convicted of felonies. These differences, of course, were largely determined by their less restrictive commitment policies; and those less restrictive policies, in turn, seem to have been a function of the generally low level of southern interest in the principles of rehabilitation.

Administration

In their administrative structure, two of the southern reformatories closely resembled those of the Northeast in that they had boards of directors who were expected to play an important role in guiding institutional operations. According to its establishing legislation, the Arkansas reformatory was to be managed by nine directors, at least five of them women. These directors, who were to be appointed by the governor, were not to be paid. They were charged with writing rules for the institution, appointing a superintendent, and acting as parole board. The same law required that the superintendent be a woman and that her staff be female, insofar as possible. The

first superintendent was Mary de Wees, who had had prior experience at Clinton Farms, New Jersey's reformatory for women. (de Wees may have been a protégé of Martha P. Falconer, a woman with close ties to Clinton Farms and through whose agency the Arkansas institution had been founded.)²²

Similarly, the legislation which established the North Carolina reformatory delegated supervisory powers to a board of directors, in this case consisting of five members of whom at least two were to be women; they, too, were to serve without compensation, make the rules, and appoint the superintendent. Requirements for the superintendent and her staff also resembled those of Arkansas. The North Carolina reformatory had, at first, considerable trouble in finding a satisfactory superintendent, but with the hiring of Elsa Ernst in 1932, it embarked on a period of administrative stability. Like de Wees in Arkansas, Ernst had a college background (she had, in fact, studied psychology at Harvard) and prior institutional experience.²³

Lacking boards of directors, the reformatories of Virginia and Maryland resembled those of the Midwest more than those of the Northeast in administrative structure. In both cases, the ultimate governing authority was the state board of prisons. The first superintendent of the Maryland reformatory, required by law to be a woman, was Helen deCorse (later Helen deCorse McArthur), who served in that capacity for most of the first decade of operation. Virginia did not legally require that the reformatory superintendent be a female but, at least during the early years of operation, the position was filled by women, the first being a Miss Elizabeth M. Kates. Kates had prior experience in a correctional institution and managed to assemble an almost entirely female staff.

Administratively, then, the southern reformatories were close to counterparts in northern sections of the country. Moreover, they managed, at first,

to attract well educated and experienced women as superintendents. But as the next section shows, these superintendents were unable to develop programs which were more than a weak imitation of those of reformatories to the north.

Programs

Like northern reformatories for women, those of the South claimed rehabilitation as their central goal, a goal which they, too, attempted to achieve mainly through moral and domestic training. According to a report of 1932 on the Virginia reformatory, its main purpose was

to rehabilitate those received here so that they may be capable of doing and knowing what to do in order to mix agreeably with society upon their release This rehabilitation includes medical care, wholesome food, regular living, healthful work and recreation, and just discipline. All of this helps to build up a resistance which allows clear thinking and reasoning by the inmate concerned.²⁴

Similarly, a description of the Maryland reformatory's program reported in 1950 that:

Emphasis is still being placed on the educational opportunities in specific assignments. Cooking and waitress work is looked upon as an opportunity for instructing the women . . . in proper methods of handling the preparing foods and in correct serving. Since so many of the inmates go out to domestic work, this is essential in training for future jobs.²⁵

But to a great extent, such discussions of rehabilitative goals were mere rhetoric, a favorable gloss on the need to use inmates for institutional maintenance. They also obscured the reformatories' failure to provide much in the way of academic training. Nearly all of the southern reformatories were

badly underfunded, and in no case did they offer programs as rich academically or recreationally as those of the better northern reformatories. This was especially true of their programs for black inmates, for whom most activities were separate and unequal.

Earlier we observed that some northern reformatories, particularly in the Midwest, developed programs which emphasized the cure of venereal disease. North Carolina's reformatory had a similar program. To its small population in the years 1931 and 1932, for example, were administered a total of nearly 5,000 treatments for venereal disease. Parole eligibility depended, in part, on being free of such disease. And a provocative line in a document of 1936 reported that "At present, all of our surgical work, including sterilizations, is done at the Memorial General Hospital in Kinston." Evidently biological "reformation" was key in the rehabilitation of the white prostitutes who mainly comprised the population of this institution.²⁶

In two respects other than general impoverishment, the programs of the southern reformatories differed from those of the North. The former placed more stress on farming, and in the South farming consisted of not only horticulture but also raising animals and some field work. Second, two of the four southern institutions had industries, which appeared infrequently in reformatories of the North.²⁷

Although the programs of the southern reformatories were poorer in quality than those of the North, it is important to note that they were immensely superior to those of other, non-reformatory women's institutions in the South. This contrast will become clearer when we look more closely at the activities of women held in southern farm units.

It is no doubt a testimony to the strength of the women's reformatory movement in general that such institutions were established at all in the

South. There they were clear anomalies, running counter to the prison traditions of the region as a whole. Unsurprisingly, the two which conformed most closely to the reformatory model--those of Arkansas and North Carolina--were eventually closed, in 1935 and 1947 respectively.²⁸ The two which survived--the reformatories of Virginia and Maryland--were more custodial and hence more in line with the region's overall penological orientation.

Farm Units

Some southern prisons for women began as parts of prison plantation systems. Several of the states in question owned very large tracts of land on which were located various prisoner "camps," one of which was set aside for women. Others sent convicts (including women) to private farms whose owners shared the profit from prisoner labor with the state. This section deals with southern women's prisons which developed out of such camps and farms, referring to them generally as "farm units." Differences between such units and the reformatories discussed earlier in this chapter were clear and marked, especially at the point of origin. Less clear, however, were the distinctions between the institutions which started as farm units and those (discussed in the next section) which originated as "split-offs" from mainly male penitentiaries or previously established women's units. That is, institutions of the two latter types had more in common with each other, both at point of origin and in terms of quality of inmate care, than either did with the reformatories.

Five southern women's prisons originated as farm units: the Goree Unit of Texas; the current Women's Unit at Pine Bluff, Arkansas; the Louisiana Women's Prison (currently called the Louisiana Correctional Institute for Women); the Georgia Rehabilitation Center for Women (today the Georgia Women's

Correctional Institution); and the Oklahoma Women's Unit at McAlester. Only two of these were established by legislation, and one of these two (the Louisiana Women's Prison) was not legislatively established until after it had been in operation for a number of years. Relatively frequent shifts of the female convict populations from one location to another was another characteristic of the institutions which originated as farm units; this phenomenon, as noted earlier, was encouraged by the lack of legislation which would have firmly located the women in a specific institution at a designated place. Also characteristic of these institutions--or, rather, of the agencies which ran them--was a reporting system which in most cases produced but fragmentary information on female prisoners. (Due to the poor quality of the data, we are unable to report as completely on prisoner characteristics as in other sections of this report.)²⁹

What follows are individual profiles of these five institutions. After the profiles, a conclusion presents summary remarks on these institutions as a group.

The Texas Goree Unit

The earliest separate unit for women prisoners in the South was that established at the Texas Goree Farm in 1910. Before Goree was established--from at least the turn of the century until 1908--Texas held female convicts on a farm about seven miles from Huntsville, the headquarters of the state's penal system. This farm was owned by a Reverend J. G. Johnson; he provided food and clothing for the women and each year paid the state one-half of his earnings plus a bonus of \$500. (This was the "share" system, under which the state and the person who worked prisoners shared the latter's profits.) The farm was supervised by Johnson's niece, who functioned as matron, and her

husband, J. G. Bowden--hence its name of Bowden's Farm. The majority of the women held at Bowden's Farm (and in some years there were nearly one hundred) were blacks, most of them serving time for property offenses. The few white women had mainly been convicted of homicide. The black women worked in the fields, while the whites served as domestics.³⁰

As early as 1900, the superintendent of the Texas penitentiary system recommended that the women be removed from Bowden's Farm to a building where they could be set to work making clothing for the rest of Texas's convicts. His rationales were ones of control:

(O)n the farm there must be . . . a few men used as trusties. . . .

These trusties cannot at all times be kept under the eye of the guards, and therefore we find it impossible to entirely separate the sexes, as the law requires. The negro women are a very low order of beings, mostly from the cities, and as a rule are vicious and troublesome to control, and I think should be kept in a prison specially provided for them.

In 1908, the women prisoners were transferred to Eastham Farm, about twenty miles north of Huntsville. There working and living conditions were much as they had been at Bowden's Farm. The superintendent continued to object to their being worked on a farm, this time arguing on mixed grounds of chivalry and practicality. Farm work was too heavy for women, he explained, and it exposed them to the inclemencies of Texas weather. But he also wanted to see the women housed in a state building so that they could be given factory work: "(T)hese women could be profitably employed in the manufacture of goods for the use of the penitentiary system." Again arguing that "the female convicts should be permanently located on a farm belonging to the State," in 1910 the superintendent recommended "that Camp Goree be converted into a

permanent home for the female convicts." Previously established as a prison camp for male prisoners, Goree already had a prison building; and as it was only four miles from the main penitentiary at Huntsville, it would be convenient for prison officials.³²

Conditions for women at the Goree Farm, to which they were moved in 1910 or 1911, were, at first, quite similar to those they had experienced earlier at the privately owned farms. Goree was managed by a Mr. R. H. Cabiness, whose wife served as matron. According to a report of 1911, "(T)he negro women take care of the cotton and corn crop; the white women do sewing, garden work, care for chickens and work around the place in general." Living quarters were primitive. "This camp was in a very dilapidated condition when we [prison commissioners] assumed charge; water had to be hauled; a building with three tiers of bunks, one above the other, all crowded; no hospital, no conveniences whatever." A prison physician found the women's living conditions "most unsatisfactory." "There were sixty inmates," he reported for 1911, "all, except the few white and Mexican women, occupied one small building and were sleeping upon bunks arranged in tiers. . . . (T)here were no sanitary facilities whatever, save those provided by nature." Despite renovations, additions, and construction of a sewer system, when Garrett and MacCormick visited Goree Farm in the late 1920s, they found much to criticize. They reported, for example, that the women lived in wooden buildings which were "crudely designed and constructed" and "a serious fire hazard."³³

In 1935 the wooden buildings were replaced by a brick structure. Its interior was subdivided into not cells but dormitories, where "the weak were victims of the strong and the young first offenders became more sophisticated in crime from association with hardened criminals."³⁴ To counteract such victimization and overcrowding, cells blocks were added in 1954, 1956, and

1965. In the late 1950s the institution also gained a new garment factory (by this time, Goree was the largest manufacturer of inmate clothing in the state), a laundry, chapel, and auditorium. But such expansions failed to keep pace with the growth of the female prison population. Today Goree is one of the largest women's prisons in the country and still extremely overcrowded.³⁵

Arkansas:
From the State Reformatory for Women at Cummins Farm
to the Women's Unit at Pine Bluff

After the Arkansas reformatory for women was "abandoned" in 1935,³⁶ black women were held along with male prisoners at Cummins Farm under the authority of the Board of Penal Institutions, the body which controlled the state penal farms. White women, in contrast, were held at Alexander at a camp known as the "Women's Reformatory." This camp was operated in connection with, and under the authority of, the Arkansas Training School for Girls.³⁷

An act of 1951 severed the adult white women from the girls' training school and consolidated both adult female populations in a State Reformatory for Women at Cummins Farm. According to the act itself, this legislation was passed "to prevent communication and contact between such women prisoners and the other inmates of the State Penitentiary to the end that each group be effectively separated." Because the white women had previously been held at the girls' school, we can surmise that it was contacts between black women and men at Cummins Farm which had caused the concern. The act also implies that with consolidation, women of both races were held at a location more removed from the Cummins male prisoners than the black women had been previously. However, the Cummins women's reformatory was not actually a separate institution but rather one of the three which made up the Arkansas State Penitentiary. It was located about a half-mile from the main building at Cummins and

consisted mainly of a central building which was divided into two twenty-bed dormitories, one for each race. Between the dormitory areas were two eating areas, separated by a central kitchen.³⁸

Few female state prisoners in the history of the country can have endured worse conditions than those experienced by women held at Cummins Farm. As an Arkansas investigatory committee of 1968 remarked, "There is nothing in the Reformatory that could be called a rehabilitating program. If there is a more neglected institution for women in the United States, one would not know where to look for it." Before reform superintendent Tom Murton took over (briefly) in the late 1960s, a buzzer system had enabled the superintendent to summon women prisoners to his bed. In winter, according to Murton, women had frozen "nearly . . . to death from the cold air, sleet, and rain pouring through large cracks and holes in the walls." The solitary cells lacked toilets, and women were said to have been beaten with leather straps.³⁹

Particularly dismal were conditions suffered by the women of color. Whites had manufactured clothing on a few "obsolete" machines; but, according to Murton, blacks had been assigned to "mow" the grass. They sat

cross-legged on the lawn snipping off the blades of grass with their fingernails, as they were not allowed clippers or scissors. Because of this, the women's hands were gnarled and their fingernails gone. They are scarred for life, but this was a typical work program for the Negro women, who were considered too dumb for anything else.

. . . the Negroes ate the scraps left over from the white women's table. The visiting rooms were segregated, and the Negroes even wore different clothing than the white women.

The Negro women . . . washed personal laundry for the matrons in a tub with a scrub board, even in winter, and even though there was a laundry at Cummins.⁴⁰

Conditions for women of color seem to have been worse than those for whites in prisons of all regions. Seldom, however, did they reach levels as low as those at Cummins Farm.

Until 1971, misdemeanants as well as felons could be committed to the women's unit at Cummins. The former were evidently committed under the law which had originally established the Arkansas State Farm for Women in 1919, even though that institution was abolished in 1935. The 1919 legislation had authorized commitment to the State Farm of women convicted of any felony or of the following misdemeanors: prostitution, habitual drunkenness, drug use, contributing to dependency, or conducting a disorderly house. Such cases continued to be committed to Cummins, apparently still on indeterminate sentences of up to three years, until legislation of 1971 excluded all but felons.⁴¹

In 1975, women were moved out of Cummins to a Women's Unit at Pine Bluff, about thirty miles away. (This was the first time since the close of the reformatory in 1935 that they had a separate institution.) We have been unable to determine the forces which led to this change in location. Publication of Murton's exposé in 1969 may have brought some pressure, and the related Penitentiary Study Commission of 1968 had called "in the name of humanity" for "a genuine Reformatory for Women . . . built in a location apart from any institution for men, adequately staffed, and brought up in every way to the standards long since established for women's institutions in America."⁴² The new facility may or may not have measured up to such standards. However, to judge from the fact that present Arkansas prison authorities repeatedly refused to comply with our requests for information, the Pine Bluffs Women's Unit is not an institution of which they feel proud.

Louisiana: Origins of the Correctional
Institute for Women at St. Gabriel

In the late nineteenth century, Louisiana held its female state prisoners at the Louisiana State Penitentiary at Angola, a huge farm about sixty miles north of Baton Rouge. As of 1866, this institution held a total of 228 prisoners, of whom 10 (or only 4 percent) were women; all of these women were black. The penitentiary consisted of a central receiving unit and several "plantations," over which were scattered a number of camps. By the first decade of the twentieth century, women had been isolated at Camp D; its population, in January of 1908, consisted of 60 females, 52 (or 87 percent) of them black. They worked mainly at laundry and sewing assignments until, in the 1940s, a few were given clerical jobs.⁴³

In July of 1961, female prisoners were moved from the Angola plantation to a former penal farm for men at St. Gabriel, fifteen miles south of Baton Rouge. According to M. T. Carleton, an historian at the Louisiana State University, the

separate facility for females seems to have grown from the generally held conviction by the 1950's that women offenders "ought to be" separated from males, probably for moral reasons. Separation was first officially recommended in 1951 by a citizen's committee, a prominent member of which was Margaret Dixon . . . , a newspaper-woman and sincere penal reformer.

There was no organized opposition to a separate female facility. When the state could afford one, LCIW [Louisiana Correctional Institution for Women] was established in 1961.⁴⁴

Just as conditions for Texas inmates did not change radically when they were first moved to Goree Farm, so those of the Louisiana women moved to St.

Gabriel remained, at first, much as they had been in earlier years. The Women's Institution, as it was originally known, occupied an extensive farm on which were two old and badly decayed buildings. One served as the administration headquarters. The other, which included not only the inmates' regular living quarters but also isolation cells, the laundry, and the chapel, was said to be "small, inadequate and in a dilapidated condition." Although two new dormitories were soon erected (one for each race), these were almost immediately overcrowded.⁴⁵

The inadequacy of these buildings led to construction of an entirely new, campus-style plant, that which exists at St. Gabriel today. Legislation of 1970 authorized the Department of Corrections "to create and establish and to operate and maintain a women's correctional facility in the vicinity of St. Gabriel for women convicted of felonies and sentenced to imprisonment This facility shall be known as 'Louisiana Correctional Institute for Women.'" With enactment of this legislation, the St. Gabriel prison became fully independent of the men's penitentiary. A \$3 million contract was awarded in 1971 for a building whose plans were said to reflect "the ultimate in modern design" and to incorporate "the most progressive concepts of correctional construction." Opened in 1973, the new facility had closed circuit television monitors, both minimum and medium security areas, and a capacity of 200.⁴⁶

The programs available to women prisoners of Louisiana seem to have improved with the move to the new facility. Between 1961 and 1973, inmate activities had centered around a garment factory and light gardening. Academic instruction, recreation, and vocational training were extremely limited. In 1975—several years after the new buildings were opened—about half of the population was reported to be enrolled in an academic or vocational program. But vocational training and job assignments were still heavily weighted toward

traditional women's work. They included arts and craft, sewing, clerical work, housekeeping chores, and nurses' aide training.⁴⁷

Georgia: Origins of the Women's Correctional
Institution at Hardwick

During the Civil War, Georgia's original penitentiary was burned down-- allegedly by women intent on escape. Thereafter, women prisoners were leased out. The lessors did not always keep them separate from male convicts, however: legislative investigation discovered women chained to men and forced to occupy the same bunks. Moreover, the women were treated harshly by lessors, in some instances being beaten. And so in the late nineteenth century, a decision was made to isolate female convicts in camps where they would be worked and supervised by the state.⁴⁸

A new penitentiary including a large farm was established in 1898 at Milledgeville, near the state hospital. The plan was for inmates to provide food and other services to hospital patients. This location and plan helped determine the care of Georgia's women prisoners for the next seventy-five years. At first the women were held on a part of the prison farm which was separated from the men's section by a creek. However, because they shortly burned down their building (they seem to have been an incendiary lot), they were removed, in 1900, to a wing of the men's building.⁴⁹

Three important developments occurred during the following decades.⁵⁰ First, a decision was made to incarcerate female misdemeanants with the felons. Previously misdemeanor women had been worked by counties in chain gangs, sometimes in gangs with men. Disapproval of this practice created sentiment in favor of holding female county prisoners with the felons at the state institution at Milledgeville. Second, a Colony Farm Prison for women was established on the grounds of the Milledgeville institution; subsequently

all white women prisoners were held there, although some of the blacks were sent out to work in more distant hospitals and camps. Third, prison officials transferred responsibility for women prisoners to the Board of Health. According to the agreement between the two groups, the women would be worked in the state hospitals, in return for which the Board of Health would feed and clothe them. Because the Board of Health was primarily interested in hospital cases, the female prisoners thereafter received little more than subsistence care. Prison officials, too, found it convenient to ignore them.⁵¹

The changes which eventually led to the opening of a new facility for women at nearby Hardwick began in 1967 when the races were integrated and the entire female prisoner population consolidated at Milledgeville. At first, however, it would have been difficult to discern the road to improvement. With consolidation, the white and black women were moved into the Kemper Building, originally constructed as a maximum security unit for men. (With some boldness, the Kemper building was rechristened the Georgia Rehabilitation Center for Women.) In this structure, described as "ugly, depressing and totally inadequate," women were crowded into three long dormitories with double-decker beds.⁵² Showers and open toilets closed off one end of the dormitory area, punishment cells the other. One large room served for recreation, visits with families, and classes. Finally recognizing its responsibility for these prisoners, the Department of Offender Rehabilitation took over their care from the Department of Health in 1972. The next year the women were moved to Ingram, another building on the grounds of the state hospital, and at the same time a division of women's services was established within the Department of Offender Rehabilitation. Evidently as a result of establishment of this division, plans were soon formulated for construction of an entirely new prison for women.

The Georgia Women's Correctional Institution opened in 1976 at Hardwick, about two-and-a-half miles away from the hospital with which Georgia's women prisoners had so long been associated. According to the Glick and Neto report of 1977, the new prison had

a campus design with three living units of 48 beds, classrooms, infirmary, recreation areas, etc. A fourth living unit is under construction because unfortunately the institution was over-capacity before it was even built. Beds are double-bunked to increase the total capacity from 192 to 384. The staff has nearly doubled in size, and inmates now wear uniforms.⁵³

This report suggests that though care was upgraded with the move to Hardwick, it continued to fall far short of the ideal--an impression reinforced by other recent reports. According to the Georgia Department of Offender Rehabilitation, staffing and programs expanded at Hardwick to include more medical specialists and courses in such subjects as electronics, drafting, and air-conditioner maintenance. But on the other hand, some women continued to be assigned to the state hospital, and the course work included that old standby of women's prisons, cosmetology. A recent issue of the Women's Rights Report took Hardwick severely to task, particularly for its failure to provide for women opportunities equal to those of Georgia's male prisoners.⁵⁴

Oklahoma: Origins of the Women's Unit at McAlester

Until the early twentieth century, Oklahoma sent its prisoners to Kansas.⁵⁵ Then in 1908 it opened its state penitentiary on an extensive tract at McAlester. As of 1 January 1916, the McAlester institution held a total of 1,526 prisoners, of whom 31 (a mere 2 percent) were women.⁵⁶

By the time of Garrett and MacCormick's visit in the late 1920s, new quarters had been built for women on the McAlester land about a mile away from the central building for men. The visitors disapproved of the women's unit, however, finding it "in line with the old style institution for women" and "not . . . up to the standards" set elsewhere for women's prisons. At the time of the inspection, the unit held 68 women, supervised by matrons. Evidently women continued to inhabit these substandard quarters until, in 1971, a new Women's Unit was opened, also on McAlester land. In 1978, a point at which its capacity was 60, this institution held an average of 95 women.⁵⁷

Despite the many vagaries, an overall pattern can be discerned in the development of the five southern prisons for women which began as farm units. Their evolution occurred in four phases. These were developmental phases, not clear-cut chronological stages, for they began at different points in the various states.

At first, female prisoners were, apparently, intermixed with males. Then, in the second phase, they were gradually isolated into camps of their own on the prison plantations. Decisions to separate the women were prompted in part by concern over sexual and other abuses, in part by a desire to exploit their labor more profitably. The third phase began with the transfer of women from camps to more distinctly penal buildings, in several cases to structures which had been built for but vacated by males. The conditions under which women lived in such quarters generally ranged from very bad to appalling. Usually primitive to start with, these units became horribly overcrowded as the female populations expanded. In them, women were less likely to be assigned to field labor than in camps of stage two. Rather, they were worked in factories, given institutional chores, or consigned to idleness.

The fourth and most recent phase is marked by the removal of women prisoners to new institutions. Some of these were built at new locations, away from the original prison farms, and a few are modern and campus-like in design. Despite the relatively recent building programs, however, most southern women's prisons of the type here under discussion are today experiencing extreme overcrowding. In the area of programming, too, they exhibit severe limitations.

"Split-offs" from Mainly Male or from
Previously Established Female Prisons

The southern women's prisons covered in this section bore more resemblance to those which originated as farm units than to southern reformatories, both in the nature of their origins (which usually occurred through administrative, not legislative decision) and in the forthrightly custodial nature of their care. But whereas the farm units began through the isolation of women prisoners in camps which were part of larger prison plantations, the institutions covered in this section originated in the mitotic process of splitting off from a mainly male prison or from a previously established prison for women. The usual reason for their establishment was overcrowding in the predecessor institution (whether mainly male or wholly female). Architecturally, women's units of this type were more prison-like from the start than those which began as farm units.

As with those institutions which originated as farm units, with those which began as "split-offs" we can also identify a developmental pattern, this one consisting of three basic phases. In the first phase, women were held in a mainly male state prison building. In the second, they were moved to and held in separate quarters. Frequently these new quarters were given a title such as "Women's Prison," but for the most part they remained administratively

dependent on the state's central prison for men. The women's prison of three states (Delaware, North Carolina, and West Virginia) remain in phase two today,⁵⁸ but the others moved on to a third phase during which the women were transferred to and held in yet other quarters. In some cases this was a serial development, the older, phase-two quarters for women having been vacated. In other cases, the phase-three facility was an addition to a phase-two prison for women, both being maintained.⁵⁹ One state, South Carolina, has also experienced a fourth phase due to frequent serial (but not mitotic) relocations of its female prisoner population.

This section covers women's prisons in Alabama, Delaware, Florida, Kentucky, North Carolina, South Carolina, Tennessee, and West Virginia. It also covers two recently established women's prisons in Oklahoma and Texas. The original women's prisons of Oklahoma and Texas began as farm units and were covered in the last section. But these two institutions subdivided in the 1970s to produce two more women's prisons which, as "split-offs," are dealt with here.

Phase One: Women Held at Mainly Male Prisons

In the South as in other regions, many states originally held women convicts at their central prison. In Alabama, for instance, women were held at the State Penitentiary at Wetumpka, which is said to have received its first female in 1850.⁶⁰ Likewise in Florida, women were incarcerated at the State Prison Farm at Raiford, an institution which opened in 1914 and which, despite its name, was a high security building.⁶¹ With two exceptions, this original arrangement of incarcerating women in a mainly-male state prison or penitentiary was typical of the states here under consideration.

The two exceptions were Delaware and Kentucky, and these were exceptions more in nomenclature than in kind. Until recently, Delaware maintained no state prison for either sex but rather sent state prisoners to the New Castle County Workhouse. However, because the workhouse functioned as a state prison and because it held male and female inmates in one building, conditions of confinement for women in Delaware were similar to those in other southern states during this first phase. During the nineteenth and early twentieth centuries, Kentucky sent its female convicts to the state penitentiary at Frankfort, where they were held in a separate building with its own yard. These women were transferred, in 1911, to the State Reformatory, also at Frankfort, but the shift in location made little difference in their treatment. At the reformatory, too, they inhabited a separate building with its own small yard. "(D)ark, damp, cramped and unhealthy, and an unfit place for a woman to live," these quarters, too, resembled those reserved for women prisoners in other southern states despite the institution's "reformatory" title.⁶²

This first phase usually lasted many decades, running from the mid-nineteenth century (or whenever the state in question first established its central prison) well into the twentieth century. During it, as the female prisoner population expanded, the women were increasingly isolated into wings or separate buildings within the walls. This process is described in some detail in the chapter devoted to Tennessee (Chapter 6) and need not be repeated here.

Phase Two: Separate Quarters

In the second phase, states isolated their female convict populations even further by relocating them to facilities which were, at the least, out-

side the walls of the main institution for men or which were, at the other extreme, entirely separate institutions. Faced with overcrowding at the original prison in which male and female prisoners were mixed, the states found various solutions as they moved into phase two. Several converted a former men's facility into women's quarters. Three constructed a new building for women, locating it near the central prison in which the sexes were formerly mixed. And three established completely separate female institutions.

Both Alabama and North Carolina turned to the first solution, that of converting a previously male facility to use by women. In Alabama, it was not the women but the men who were moved: from the mid-nineteenth century on, as noted earlier, men and women were both held at the Wetumpka penitentiary; when, with the completion of the new Kilby prison in 1923, "better quarters had been provided for the men," the males were transferred out and Wetumpka became female only.⁶³ In North Carolina, felons of both sexes were held together at the state prison at Raleigh until overcrowding forced removal in 1933 of the women to an old set of prison barracks on the outskirts of town. These barracks had previously held men. Two stories high, they consisted of open dormitories within which were double-decker bunks. Transfer of the women to this location was considered a temporary measure, for there were plans for a new, cottage-style prison for women. These plans were never realized, however; over the years new buildings were added to the plant; and the North Carolina women's prison remains at the Raleigh location today.⁶⁴

Delaware, Tennessee, and South Carolina, when they came to establish separate quarters for female prisoners, erected new buildings nearby their central prisons for men. Until 1929, Delaware confined both its female and male state prisoners in one building of the New Castle County Workhouse. But an act of 1927 ordered separation of the sexes, and so in 1929 the women were

moved to new quarters close to those in which they had previously been incarcerated. Their new area included two acres and was enclosed by a wire fence. Its main building was a three-story structure "of toolproof steel and brick" which contained dormitories, bedrooms, and a cell block. Although called "the Women's Prison," this was "merely a branch of the Workhouse."⁶⁵ Similarly, the Tennessee Women's Prison built about a mile and a half from the main penitentiary and opened in 1930 was merely an adjunct (and a much neglected one at that) of the central prison. South Carolina held its female prisoners at its main penitentiary until, in 1938, they were moved to a newly-erected unit about seven miles distant. Known as the Women's Penitentiary, this, too, was operated as a branch of the central penal institution.

Kentucky, West Virginia, and Florida chose the third alternative, creating new and relatively independent institutions for women. The Kentucky and West Virginia prisons, in fact, bore a number of resemblances to reformatories, and it is not coincidental that eventually both were established as entirely independent entities by their state legislatures.

Kentucky founded its Women's Prison as part of a general overhaul of its correctional system in the mid-1930s. The new institution opened in 1938 on Pine Bluff Farm in Shelby County. The extensive farm, deeded to the state by "interested club women," had previously been used by the state hospital. It was chosen as the site of the women's prison because it was "secluded but at the same time of easy access to the new Men's Reformatory" at LaGrange.⁶⁶ Contrary to what one might have predicted for a new women's institution located on an isolated site of this size, the plant was not constructed in accordance with the cottage plan. Rather it consisted, at opening, of a large, dormitory-style building. For many years Women's Prison was operated as a subsidiary of the Kentucky State Reformatory, administered by and re-

ceiving many of its services from the latter. Then in 1964 the legislature established it as an independent entity, renaming it the Kentucky Correctional Institution for Women.⁶⁷

Women prisoners in West Virginia were held at the central penitentiary at Moundsville until, in the late 1940s, the state legislature established an independent State Prison for Women. Located at Pence Springs, about eight miles from the federal women's prison at Alderson, the plant included an older building which had formerly functioned as a resort hotel, operated by the Chesapeake and Ohio Railroad. (A separate casino building was remodeled in 1950 to serve as the prison's auditorium and chapel.) Farming on the surrounding land came to be the most important aspect of the institution's program; this activity, in combination with the prison's rural isolation, gave the West Virginia State Prison for Women something of the flavor of northern reformatories.⁶⁸

Florida moved more slowly to separate its women, holding them at the Raiford State Prison Farm until 1956. At Raiford they were housed in a wooden dormitory described, in 1929, as "frightfully overcrowded." "In no other institution of the country are women prisoners so little separated from the men as here," Garrett and MacCormick continued in their report. "Both men and women work in one of the shops, though in separate sections, and in some other details they work together." Construction of an "intervening concrete wall" between the men's and women's sections later improved separation of the sexes, and in 1947 the legislature took a further step in this direction by establishing a Marion County branch of the Union County State Prison Farm "for the purpose of the care and maintenance of female convicts." It was not until 1956, however, that the new Lowell institution for women was opened. Campus-like in its design, this institution is today known formally as the Florida

Correctional Institution. To it was added, in 1970, an adjacent institution, Forest Hills, which had previously held black female delinquents.⁶⁹

Generally speaking, conditions for women confined in these prisons of the "split-off" variety were abysmal at best during the second developmental phase. Programs were almost non-existent. When women were not left in total idleness, they were assigned to hard labor, mainly in laundries or clothing factories. At Wetumpka, for example, the women made garments for all of Alabama's prisoners in a factory area which contained eighty-one sewing machines and other equipment; they had production quotas and labored seven hours daily.⁷⁰ The prison buildings were frequently unsanitary, lacking adequate toilet and bathing facilities. Medical attention was available only to the most serious cases, and women with mental disorders were frequently locked in solitary and ignored. The institutions were, for the most part, extremely overcrowded; there was little room for sleeping, much less exercise. And dormitory construction of most of these institutions excluded the possibility of privacy. These remarks continue to apply to some of the institutions founded during this phase. Conditions of confinement in North Carolina's women's prison, for example, appear today to be among the worst in the country.⁷¹

Only two of the prisons under consideration here seem to have risen above this generally low level in the quality of care afforded to women inmates. Predictably, these were the prisons of Kentucky and West Virginia, institutions which were not only relatively independent but which also had the greatest admixture of reformatory elements in their plants and programs. Eventually that of Kentucky came to suffer from underfunding and overcrowding. West Virginia, however, has kept its female prisoner population small, and

while one hesitates to praise its women's prison, that institution certainly appears to have provided care superior to that of most other southern prisons for women.⁷²

Phase Three: Serial Moves and Subdivisions

In the third phase of their development, some southern women's prisons which originated as "split-offs" from mainly-male institutions were either moved to a new plant or subdivided to form two prisons where previously there had been but one. The women's prisons of three states never entered this third stage, those of Delaware, North Carolina, and West Virginia remaining today where they were located in phase two and unsupplemented by an additional female facility. Three states made the serial-type of move, relocating their phase-two institutions to a new plant. And four states went on to establish a second prison for women.

The serial-type of change was made by Alabama, South Carolina, and Tennessee. Alabama abandoned its old Wetumpka women's prison in the early 1940s, after a new institution had been built about one mile away. Opening in 1943, the new facility was named Julia Tutwiler Prison after a prison reform activist who had died many years earlier. The new structure had eleven wings, seven of which had dormitories and the rest cells.⁷³

Removal of women from South Carolina's Women's Penitentiary came about through the willingness of the director of the Department of Corrections to seize a fortuitous opportunity. About 1964, a former junior college at Irmo, roughly thirteen miles west of Columbia, became available for rental. The department took a ten year lease, planning at first to use the facility as a pre-release center for men. However, the lack of a fence around the buildings caused reconsideration of that plan; and Ellis MacDougall, the head of the

department, decided this was the time to upgrade care of the state's female prisoners. Thus the former junior college became the Harbison Correctional Institution for Women. Opening in 1964, it had a capacity of 110.⁷⁴

Tennessee went even further, legislatively establishing, in 1965, its first independent Prison for Women at a newly constructed plant outside Nashville. The campus-like facility of glass and brick, built at a cost of nearly \$2 million, opened with a capacity of 100.⁷⁵

In four states--Oklahoma, Texas, Kentucky, and Florida--women's prisons which had originated either as farm units or as "split-offs" from mainly-male central prisons went on, in phase three, to be subdivided into two female institutions. In all four cases, the second women's prison was established during the 1970s. First to subdivide was Oklahoma, which in 1973 opened the Mabel Bassett Correctional Center at Oklahoma City. This move helped relieve overcrowding at the McAlester Women's Unit. Two years later, Texas supplemented its Goree Unit by opening Mountain View, near Gatesville. This campus-like facility had previously been operated by the Texas Youth Council. However, faced by serious overcrowding at Goree, the Department of Corrections had it redesignated as a prison for women. Situated on forty-two acres, Mountain View opened with a capacity for 250 inmates. The following year, Kentucky opened its second women's prison, the small Daniel Boone Career Development Center at Burlington. Last, about 1977 Florida opened its Broward Correctional Institution for women near Fort Lauderdale. Originally this high security institution had been intended for men. Overcrowding at Lowell, however, led to its redesignation as a women's prison.

Phase Four: Recent Developments in South Carolina

One southern state, South Carolina, has entered a fourth phase in the development of its women's prison. As noted earlier, the evolutionary process

in South Carolina was serial, not mitotic; that is, this state has not subdivided its penal institution for women but rather moved it from one place to another.

Originally, we recall, South Carolina held female prisoners at its central penitentiary. In 1938 the women were moved to a new building (Women's Penitentiary), and in 1964 they were transferred to the plant of a former junior college (Harbison Correctional Institution). In 1974, when the ten-year lease on the former junior college expired, they were moved once again, this time to a newly constructed facility in Columbia. Called the Women's Correctional Center, this was a minimum security institution with a capacity of 96. Almost immediately, the new institution was overcrowded, necessitating erection of four more buildings in 1975. Overcrowding persists at the South Carolina women's prison, but it has had one fortunate by-product: the development of a relatively strong work-release program.

This section has dealt with southern women's prisons which originated through a process whereby a female population was split off and relocated away from the prison building where it was previously held. We have been making a distinction between women's prisons which were established in this manner and those which began as farm units. However, as pointed out earlier, the distinction becomes blurred once we move beyond the point of origin. Southern women's prisons of both types tended to evolve through a series of stages in which, essentially, the women were increasingly separated from male prisoners. And in both cases, the end result was much the same: inmates came to be held in custodial units where, generally speaking, they experienced very poor living conditions and had few programs. Although in recent years some states have replaced or supplemented their older women's prisons with more modern

facilities, these too, for the most part, are overcrowded and programatically impoverished today.

Conclusion

This chapter began with several generalizations about the development of the southern women's prison system as a whole, points which pertain not only to those institutions which originated as farm units or as "split-offs" from previously established prisons but also to the southern women's reformatories. We noted the general lack of establishing legislation; the relatively poor quality of care experienced by female prisoners in this region; the minimal impact of the women's reformatory movement; and the relative frequency with which southern prison units for women were relocated. In conclusion, we will note several other characteristics shared by many women's prisons in the South.

In their physical plants, most southern women's prisons conformed to the custodial model (especially after those which originated as farm units were moved to more prison-like quarters): they were high security institutions with little space for exercise or programs. In one important respect, however, they differed from custodial women's prisons to the North. That was in their frequent reliance on the dormitory, as opposed to cells. Most women's prisons of the South did have cells, and in some, cells predominated as the typical living unit. But in many, the majority of inmates lived in long dormitories into which were crowded rows of double-decker beds or even, as at Florida's Raiford prison, rows of single beds which women perforce shared. The dormitory arrangement was less expensive to construct. But it afforded inmates less privacy and security than did cell blocks, and it posed more of a health hazard.

Administratively, southern women's prisons were managed much like custodial women's prisons to the North. Often they were considered branches of the main men's prison and supervised by that institution. Matrons were responsible for daily operations, but they had little autonomy. These remarks do not apply to the region's reformatories, which were more independent and headed by women. There were also several other exceptions to the rule, such as the West Virginia women's prison (which was, we recall, independent from the start) and Tennessee's recently established Prison for Women (independent and by law supervised by a woman). However, even in states which have made their women's prison independent and appointed a woman as head, this official's title tends to be not "superintendent" (as in reformatories) but "warden" (as in older men's prisons). Furthermore, at a number of southern women's prisons, the chief administrator continues to be a man.

The prisoners of southern women's prisons have over time tended to be the felons we would expect to find in such custodial prisons. As we have seen, those southern states which attempted to establish reformatories for misdemeanants eventually failed in such efforts. A few other states permitted commitment of misdemeanants to their state prison for women, but so far as we have been able to determine from our limited data, even in these felons predominated. No southern state, not even those which established reformatories, attempted to place a restriction on the upper age of women who might be received. Inmates' ages thus ranged, as one North Carolina report put it, "from sixteen to senility."⁷⁶ To judge from our data, very few of these inmates had been born outside the United States. More significantly, the great majority were black.

It is tempting to point to the racial composition of southern women's prisons as a factor which helped determine the very poor quality of care

provided by these institutions. We can in fact identify a hierarchy in the quality of care provided by women's prisons in general, a hierarchy which appears to correlate with racial composition. At the top of the hierarchy, offering the best conditions of confinement, were the women's reformatories. The populations of both northern and southern reformatories, in their early years of operation, tended to be overwhelmingly white. At a middle level in terms of quality of care were some northern custodial prisons for women. The populations of these prisons were, as indicated elsewhere in this report (see, for example, Chapter 7), disproportionately black, but they included sizeable numbers of whites. At the lowest level in terms of conditions of confinement were the custodial women's prisons of the South, and these tended to hold the largest proportions of black women. That a strong reformatory movement did not develop in the South was, it seems, due to factors other than race, such as a relative lack of interest in feminist reforms by middle-class southern women. That the southern custodial prisons for women treated inmates with considerable inhumanity, on the other hand, appears to have been a function of the fact that their convicts were predominantly women of color.

Notes

¹Since 1836, Mississippi has operated only one prison, the State Penitentiary. The women's quarters are not differentiated as a separate institution and evidently never have been.

²There were developmental phases in the evolution of the southern women's prison system, but these do not fall into clear chronological periods.

³Arkansas Penitentiary Study Commission, Report of the Arkansas Penitentiary Study Commission (January 1, 1968):3-18.

Delaware's Laws of 1923, Ch. 222, established a New Castle Country Farm for Women, an institution planned as a reformatory. However, it was never built, and this law was repealed by Laws of 1931, Ch. 255.

⁴Orlando F. Lewis, The Development of American Prisons and Prison Customs, 1776-1845 (orig. 1922; repr. Montclair, N.J.:Patterson Smith, 1967): 205.

⁵Paul W. Garrett and Austin H. MacCormick, eds., Handbook of American Prisons and Reformatories. (New York: National Society of Penal Information, 1929):941.

⁶North Carolina State Board of Charities and Public Welfare, BR 1922:80, 82, BR 1924:71-72.

⁷Virginia, Board of Directors of the Penitentiary, BR 1923:5; American Prison Association, Proceedings 1936:178.

⁸North Carolina State Board of Charities and Public Welfare, BR 1926:7.

⁹Virginia State Department of Public Welfare, AR 1927:11, AR 1926:15, AR 1929:18 [referring to Acts of 1922, Ch. 428]; David Y. Thomas, Arkansas and Its People: A History, 1541-1930, Volume II (New York: The American Historical Society, 1930):504-505.

¹⁰Garrett and MacCormick, Handbook of American Prisons and Reformatories: 946, 429-430; William B. Cox, F. Lovell Bixby, and William T. Root, eds., Handbook of American Prisons and Reformatories, Volume I (New York: The Osborne Association, 1933):298. Also see U.S. Prison Industries Reorganization Administration, The Prison Labor Problem in Maryland (Washington, D.C.: U.S. Government Printing Office, 1936):47-48.

¹¹Thomas, Arkansas and Its People:505; Maryland Board of Correction, AR 1940:18. The town referred to as "Jessups" in the older literature is called "Jessup" in more recent publications. We use the more recent spelling unless quoting directly from a source which uses "Jessups."

Martha P. Falconer, at the turn of the century, headed Pennsylvania's training school for girls, Sleighton Farms. Several women who later became active in the reformatory movement were trained there by her, and she herself travelled widely to urge states to establish reformatories for women.

¹²The law which established the Arkansas State Farm for Women (General Acts, 1919, Act 494) instructed the institution's directors to "provide for cottages to be arranged for the proper classification of inmates" (sec. 4). The sleeping porch and tent which constituted the original living quarters are described in Thomas, Arkansas and Its People:506. According to Eugenia C. Lekkerkerker, The State Farm was built in the dormitory style (Reformatories for Women in the United States [Batavia, Holland: Bij J. B. Wolters' Uitgevers-Maatschappij, 1931]:122).

¹³North Carolina, Laws of 1927, Ch. 219, sec. 8; North Carolina State Board of Charities and Public Welfare, BR 1936:315 (emphases in original).

¹⁴For example, according to Virginia State Industrial Farm for Women, AR 1935:43, "Continual requests are coming to the institution for the admission of colored offenders. Having but one building running almost at double capac-

ity has prohibited us from meeting this need." For a description of the State Industrial Farm and its inmates after the opening of the new buildings, see U.S. Prison Industries Reorganization Administration, The Prison Labor Problem in Virginia (Washington, D.C.: U.S. Government Printing Office, 1939).

¹⁵North Carolina, Public Laws of 1927, Ch. 219, sec. 8; Arkansas, General Acts, 1919, Act 494, sec. 9. On the Virginia legislation, see supra n. 9.

¹⁶North Carolina State Board of Charities and Public Welfare, Division of Institutions, BR 1938:334; Virginia State Industrial Farm for Women, AR 1936:45; Maryland, Session Laws of 1941, Ch. 71, sec. 1, 761E, Session Laws of 1945, Ch. 520, sec. 1, 761A; Maryland Board of Correction, Report 1942-1945:7.

¹⁷North Carolina State Board of Charities and Public Welfare, Division of Institutions, BR 1932:413; Virginia State Industrial Farm for Women, AR 1932:44, AR 1933:41, AR 1934:45, AR 1935:46, AR 1936:49, AR 1942:57; Maryland Board of Correction, AR 1941:85, Report 1942-1945:61.

¹⁸Virginia State Industrial Farm for Women, AR 1942:58 (the institution did not report data on race during its early years of operation, another indication that all the inmates were white); Maryland Board of Correction, AR 1941:85, Department of Correction, AR 1950:75.

¹⁹Maryland Department of Correction, AR 1946:38 (6 of a total of 247 commitments during the fiscal year were foreign-born).

²⁰June R. Butler, A Study of Some Reformatory Systems for Women Offenders in the United States, with Particular Reference to the Industrial Farm Colony at Kinston, North Carolina (Chapel Hill: University of North Carolina, Master's Thesis, 1934):79; North Carolina State Board of Charities and Public Welfare, Division of Institutions, BR 1932:417; Virginia State Industrial Farm for Women, AR 1933:34, AR 1942:57-58.

The felons received at the Virginia reformatory in 1942, on the other hand, had been convicted of very serious offenses. For the 220 felons received in that year, the main offense categories were murder second degree (of which 54 cases, or 12 percent of the total (misdemeanant and felony) commitments, had been convicted); murder first degree (another 28 cases, or 6 percent of the total); and grand larceny (24 cases or 5 percent of the total). Another 18, or 4 percent of the total, had been convicted of voluntary manslaughter. If we add together the murder and voluntary manslaughter cases, we find that they comprised 22 percent of all commitments in 1942 (State Industrial Farm for Women, AR 1942:58).

²¹Data derived from the annual reports of the Maryland Board of Correction, 1941-1946 and 1950.

²²Arkansas, General Acts, 1919, Act 494; Thomas, Arkansas and Its People: 505-506. In 1925, the board of directors was replaced by a paid Board of Charities and Correction.

²³North Carolina, Laws of 1927, Ch. 219; North Carolina State Board of Charities and Public Welfare, BR 1932:66, 402; Butler, A Study of Some Reformatory Systems:61.

²⁴Virginia State Industrial Farm for Women, AR 1932:41.

²⁵Maryland Department of Correction, AR 1950:27.

²⁶North Carolina State Board of Charities and Public Welfare, Division of Institutions, BR 1932:405 [4,980 VD treatments administered], BR 1936:314.

²⁷Reformatory women in Virginia made shirts for inmates of the Men's State Farm in repayment for farmwork done at their institution by the men. The Maryland reformatory ran a small sewing industry which produced state-use products.

Other parts of this report have dealt with the topic of discipline. However, because information on disciplinary methods in the southern reformatories is so fragmentary, that topic must be omitted here.

²⁸We were unable to discover why the Arkansas State Farm for Women was discontinued; according to U.S. Prison Industries Reorganization Administration, The Prison Labor Problem in Arkansas (Washington, D.C.: U.S. Government Printing Office, 1936):5, the institution was "abandoned" in 1935. Our information on the closing of the North Carolina reformatory comes from Thornton W. Mitchell, a state archivist:

The Industrial Farm Colony for [White] [sic] Women opened in Kinston in 1929 In 1945 the colony's name was changed to Dobbs Farm. Two years later in 1947 Dobbs Farm was discontinued as an institution for white women; the inmates were transferred to the State Home and Industrial School for girls Dobbs Farm then became a training school for young black girls (personal communication of 4 June 1980).

²⁹As explained in the next section, these three characteristics--absence of establishing legislation, frequent shifts of the female population, and poor reporting of prisoner data--were also typical of the units which originated as "split-offs" from mainly-male or previously established female prisons.

³⁰For information on the incarceration of women in Texas before Goree was opened as a women's unit, we relied on the biennial reports of the Superintendent of Texas State Penitentiaries and on Herman Lee Crow, "A Political History of the Texas Penal System, 1829-1951" (Austin: University of Texas, unpublished Ph.D. dissertation, 1964).

³¹Superintendent of Texas State Penitentiaries, BR 1900:13.

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³¹Superintendent of Texas State Penitentiaries, BR 1900:13.

⁴⁶State of Louisiana, West's Louisiana Statutes Annotated (St. Paul: West Publishing Company, 1980), Sec. 15-892 [legislation of 1970 establishing the Correctional Institute for Women]; Louisiana Department of Corrections, AR 1971 [unnumbered page]; Anthony Astrachan, "Profile/Louisiana," Corrections Magazine 2 (September/October 1975):22 [description]. After opening of the new plant, as before, the institution was headed by a man.

⁴⁷Astrachan, "Profile/Louisiana":23; Louisiana Department of Corrections, AR [sic] 1975-1977:25.

⁴⁸The information in this paragraph is based on two sources. It derives partly from a "History of the Georgia Female Offender" attributed to Linda Lyons of the Georgia Department of Offender Rehabilitation and sent to us by the Georgia Alliance for Prison Alternatives; unfortunately, we were not given a full citation. We also relied on Georgia Department of Offender Rehabilitation, "Historical Development of Programs and Services," Section 2 of The Female Offender in the 1980's: A Continuum of Services, a typescript dated March 1980 sent to us by Janet Valente, the Department's Director of Women's Services. The first document appears to be related to the second, but the nature of the relationship is not clear.

Other sources on which we relied for information on the history of women prisoners in Georgia included annual reports of the Georgia Prison Commission, State Board of Corrections, and Department of Offender Rehabilitation; Citizen's Fact Finding Movement of Georgia, Georgia Penal System (April, 1938); Garrett and MacCormick, Handbook of American Prisons and Reformatories; Lewis E. Powell and Michael S. Serrill, "Profile/Georgia," Corrections Magazine, 1 (2) (1974):65-76; and U.S. Prison Industries Reorganization Administration, The Prison Labor Problem in Georgia (Washington, D.C.: U.S. Government Printing Office, 1937). We list these here because they are not reflected in the other footnotes.

⁴⁹Ibid.

⁵⁰Due to the fragmentary and often confusing nature of our data on female prisoners in Georgia, we were unable to determine the exact dates or sequence of these three developments.

⁵¹Lyons, "History of the Georgia Female Offender"; Georgia Department of Offender Rehabilitation, "Historical Development of Programs and Services."

⁵²Lyons, "History of the Georgia Female Offender":11.

⁵³Glick and Neto, National Study of Women's Correctional Programs:206.

⁵⁴Ibid.:44 [referring to Hardwick's "custody orientation, inadequate facilities, bleak surroundings, and little inmate control over her routine"]; Georgia Department of Offender Rehabilitation, "Historical Development of Programs and Services" [unpaginated]; Liz Wheaton, "Rewarding Neglect: A New Women's Prison," ACLU Women's Rights Report 1 (3) (Fall 1979):5.

⁵⁵Garrett and MacCormick, Handbook of American Prisons and Reformatories: 786. Garrett and MacCormick may have here been following the common practice of referring to men prisoners only when they used the term "prisoners"; that is, it is conceivable that before 1909, Oklahoma did not send its female convicts to Kansas but rather held them in local institutions. But if this was the case, we have found no reference to it.

⁵⁶U.S. Department of Commerce, Bureau of the Census, Statistical Directory of State Institutions for the Defective, Dependent, and Delinquent Classes (Washington: Government Printing Office, 1919):234-237.

⁵⁷Garrett and MacCormick, Handbook of American Prisons and Reformatories: 795; Vergil L. Williams, Dictionary of American Penology (Westport, Conn.: Greenwood Press, 1979):192 [new unit opened in 1971]; American Correctional Association, Directory 1980 (College Park, MD.: American Correctional Association, n.d.):197.

⁵⁸The women's prisons of North Carolina and West Virginia, it should be noted, are administratively independent, contrary to the rule for phase two institutions.

⁵⁹Florida and Kentucky are the states which, in phase three, added a second prison for women to the one established through the "split-off" process in phase two. In these cases, the first women's prison is treated in the subsection on phase two developments and the second women's prison is treated in the subsection on phase three developments.

In addition, two states whose first women's prison originated as a farm unit went on, in recent years, to establish a second prison for women. These are Oklahoma and Texas. Their first women's prison is treated in the section on farm units; their more recently established women's prison, because it came into being through the mitotic process, is treated here, in the subsection on phase three developments.

⁶⁰Malcolm C. Moos, State Penal Administration in Alabama (Bureau of Public Administration, University of Alabama, 1942):6.

⁶¹Thus Florida is treated in this section instead of the previous one on farm units.

⁶²Kentucky Board of Prison Commissioners, BR 1917:13.

⁶³Moos, State Penal Administration in Alabama:29.

⁶⁴V. L. Bounds, Changes Made in Prison Law and Administration in North Carolina 1953-1960 (Chapel Hill: University of North Carolina, 1960):45-46.

After a visit of 1950 to the North Carolina institution, Austin MacCormick declared that "Women's Prison has long suffered from neglect that is nothing less than a disgrace to the State" (as quoted by Bounds, p. 47). According to a recent study (Joan Potter, "In Prison, Women are Different," Corrections Magazine [December 1978]:17-20), conditions there today, are, if

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tion of women in Florida, we are indebted to Professor David Agresti, Department of Criminal Justice, University of South Florida.

⁷⁰Moos, State Penal Administration in Alabama:91.

⁷¹See supra n. 64.

⁷²However, as noted above (n. 68), our information on West Virginia's Prison for Women is very limited; thus the favorable impression may be merely a function of the lack of contradictory data.

⁷³Moos, State Penal Administration in Alabama:29 [design]. According to Estelle B. Freedman ("Their Sisters' Keepers: the Origins of Female Corrections in America" [Columbia University, 1976, Ph.D. dissertation]:398), Julia S. Tutwiler (1814-1916) was an "educator, proponent of higher education for women, prison reformer and author of the Alabama state song." She was "the first president of the Alabama Normal College" and her "prison reform activities included . . . investigations of jails, and the establishment of the first prison school in the South."

⁷⁴For information on the establishment of Harbison, we are grateful to Janice Foy of the South Carolina Department of Corrections (personal communication of May 1980).

⁷⁵Tennessee, Acts of 1965, Ch. 178.

⁷⁶Bounds, Changes Made in Prison Law and Administration in North Carolina:46.

CHAPTER 5

DEVELOPMENT OF THE WOMEN'S PRISON SYSTEM IN THE WEST

The women's prison system of the West did not develop until relatively recently and in some respects remains rudimentary. Three states of the region have never established a separate prison for women. Only one established a reformatory, and that not until 1929, a time by which the reformatory movement had nearly run its course in the rest of the country. There was no separate prison for women in the West until this reformatory opened in 1933 and none other for three more decades. Seven other western states have now established women's prisons, but these institutions did not start to appear until 1964.

This chapter covers eight prisons and eleven states. Like Chapter 4, it deals with institutions established through administrative decision as well as legislative action. Table 5:1 lists these prisons in the order of their establishment. Dates are bracketed in cases in which establishment came about through administrative, not legislative, decision and are followed by question marks in cases in which we were unable to satisfactorily confirm a date.

The chapter is divided into three sections. The first covers the treatment of female state prisoners in western states which have never established a separate institution for this population. Section two deals with the region's only women's reformatory, that established by California in 1929. The third part covers the seven women's prisons opened in the West between 1964 and 1980.

TABLE 5:1

WOMEN'S PRISONS OF THE WESTERN REGION

	Original Name	Date Es- tablished	Date Opened
California	Institution for Women (Female Department of the State Prison at San Quentin)	1929	1933
Nevada	[unknown]	[1961?]	1964
Oregon	Women's Correctional Center	[1962?], 1971	1965
Colorado	Women's Correctional Institution	1967, 1975	1968
Washington	Correctional Institution for Women	1967	1971
Wyoming	Women's Center	[unknown]	1977
New Mexico	Radium Springs Center for Women	[unknown]	1978
Arizona	Center for Women	1979	1980

Western States with No Women's Prison

Three western states, Idaho, Montana, and Utah, have never established full-fledged prisons for women. Having few female state prisoners, they have rather continued to hold this group in their central penal institution. In terms of the development of the women's prison system, these states remain at a stage out of which eastern states began to move a century ago.

Both men and women were held at the Idaho State Penitentiary after this institution was opened at Boise about 1870. As of November 1916, the penitentiary held 244 men and 2 women. The number of female prisoners had doubled by the time of Garrett and MacCormick's inspection in the late 1920s. These visitors found the four women quartered "in a walled enclosure just outside the prison proper." Supervised by the warden's wife, these women did laundry

for the penitentiary's officers but had no other activity. Today Idaho's female prisoners are held at the North Idaho Correctional Institution, a small unit for men and women opened in 1974 at Cottonwood. A recent report by the U.S. Comptroller General states that as of December 1978, Idaho had 30 female state prisoners.¹

The story is much the same for Montana. It too opened a central prison about 1870 (the State Prison at Deer Lodge) in which it held both sexes. As of January 1916, this institution held 632 men and 3 women. Garrett and MacCormick, when they visited in the late 1920s, found nine women, housed in a building "in the rear of the men's prison" and accessible only through the latter. The women were supervised by a live-in matron and had no activity other than institutional maintenance. "Under these conditions," wrote Garrett and MacCormick, "the state can do little more for its women offenders than to hold them during their sentences. No effective use can be made of their labor and little of a constructive nature can be done for them." An average of eleven women were held at the Montana State Prison in 1979.²

Similarly, the Utah State Prison in Salt Lake City held both men and women from its opening in the late nineteenth century. Garrett and MacCormick found five women there, supervised by the warden's wife, and reported them to be "as well cared for as the quarters over the warden's house permit." Utah recently opened two work release facilities for women, the Salt Lake Women's Community Corrections Center (1976) and Parkview Community Corrections Center in Ogden (1979). Apparently, however, female felons continue to be sent to the State Prison until near the end of their sentences.³

The California Institution for Women

The women's reformatory movement had even less effect in the West than in the South, resulting in only one institution of this type, the California

Institution for Women (CIW). There were two other attempts to establish reformatories in the region, but both produced still-born issue. In 1919 Washington created a Women's Industrial Home and Clinic, designed to hold felons, misdemeanants, and delinquents. This opened in 1920 but had to close the next year when the governor vetoed its maintenance appropriation. Similarly, California established an Industrial Farm for Women at Sonoma in 1919. This opened in 1921 but by June of 1922 had received fewer than 25 prisoners, mainly drug and alcohol offenders. When a fire of 1923 destroyed the main building, the institution was closed. The club women who had backed its establishment were not defeated, however, and eventually forced California to found a more permanent reformatory.⁴

Previous Arrangements for Handling Female Prisoners

From 1851 (when California achieved statehood) to the mid-1880s, the state's handling of female prisoners created a nearly continuous scandal. Before San Quentin was erected, male and female prisoners were held together on ship hunks. The guards, however, seem to have taken a proprietary interest in the women, for in 1853 they were moved ashore to the "overseer house." There, according to a recent chronicle of their treatment, they were "not as sequestered as required by law; male prisoners visited on weekends, the lieutenant of the guard actually lived with the women, and the captain of the guard visited regularly." Later the women were moved into San Quentin, where abuses persisted. Journalistic outrage brought about temporary improvements from time to time, but sexual misdoings continued until, in the mid-1880s, a matron was hired and the women sequestered in a separate women's department of San Quentin.⁵

A former warden left a description of the quarters inhabited by female prisoners at San Quentin about 1912. They "were housed," he wrote, in a special building inside the walls. The building was shaped like the letter U, but the ends of the two long sides were against the enclosure wall so that the yard was quadrangular. It was old and cramped and inadequate.

. . . The walk was concrete; the wall was concrete. It was like a pit. . . . The cells were on the upper floor with barred windows open to the court. . . . The women made heroic efforts to give a "homey" touch to their cubbyhole cells with tidies and scarfs and spreads and plants in window boxes, but the results were more pathetic than domestic. The hall windows fronting the main prison yard were painted white and sealed tight to keep the women from seeing the male prisoners.⁶

A new building for the women was erected within San Quentin's walls in 1927. It had a capacity of 104, but when Garrett and MacCormick inspected in the late 1920s, they found it already overcrowded.⁷

Backers of the Reformatory and Their Arguments

As in other states which established women's reformatories, in California the most persistent and effective lobbying group was composed of middle-class women who felt the state should provide better care for its female criminals. In the 1890s reformers focused on the plight of women held at San Quentin. Attempting a strategy also used by some of their eastern counterparts, they worked to have a woman appointed to the Board of Prison Directors. They failed in this effort to instate a representative of women's interests in a position of authority but did manage to bring about improvements in the San

Quentin's women's department.⁸ Later they were successful in pressuring the legislature to establish the California Industrial Farm at Sonoma; but this institution, as we have seen, was soon closed due to underutilization and the need for costly repairs.

Club women continued their efforts, reinforced by San Quentin's warden, who felt that "better results would be secured" if female convicts "were under the management of women," and by the state's welfare body. Finally in May of 1929 the legislature responded to their demands by creating the California Institution for Women, an entirely independent prison to be managed by its own, predominantly female, board of trustees. The struggle of the institution's supporters, however, was far from over.⁹

Establishment and Early Difficulties

The original board selected a site of nearly 1,700 acres in the mountains, eleven miles from the town of Tehachapi. The board considered this a highly favorable location: it included "a fertile ranch with a known record of production; it was equally distant, from a point of transportation, from the two centers of population of the State, and in California that must be reckoned with." Furthermore, the climate was varied and the mountain air dry and healthy. "There is an abundance of water . . . ; gas and electric lines were already on the tract," and two railroad lines passed through Tehachapi. But time proved the board of trustees wrong. Snowstorms sometimes cut the new prison off from the outside world for days. Winds were so strong that at some times of year, normal conversation was impossible. Remoteness made it difficult to recruit staff. Eventually the site had to be abandoned and the entire prison relocated to Frontera. Before that step was taken, however, the new reformatory faced another major problem.¹⁰

This problem was to wrest control over the state's female prisoners away from the Board of Prison Directors. In 1932, when construction had been completed, the reformatory sent for the women held at San Quentin. But the Board of Prison Directors refused to hand them over. It went on to request that the state's Attorney General deliver an opinion to the effect that it would be unconstitutional for the board to relinquish its authority over women prisoners to the new institution's board of trustees, a request with which the Attorney General complied.¹¹

At this juncture, the legislature had but two alternatives: to modify the original plan so as to allow the reformatory to be supervised by the Board of Prison Directors; or to do nothing, in which case the women would remain at San Quentin and the new institution would languish in the mountains with no inmates at all. It chose the former alternative, placing CIW under the jurisdiction of the Board of Prison Directors. This modification made, the transfers arrived from San Quentin in 1933. Until the struggle was resolved in 1936, the institution which had, at founding, been named the California Institution for Women, had to be called the Female Department of the State Prison at San Quentin—a humiliation for a reformatory which had aimed at full independence.¹²

Administration and Staff

To break the hold of the Board of Prison Directors and deliver control over the reformatory to its own board of trustees, as intended by the founding legislation, required nothing less than modification of the state's constitution. This was the next undertaking of the determined women who had struggled so long for establishment of the reformatory.¹³ They brought pressure to bear on the legislature, which in 1935 endorsed a proposed constitutional amendment

that would give the institutional board of trustees supervisory powers. The amendment passed when presented to the voters in 1936, and the reformatory, which could now legally call itself the California Institution for Women, finally became autonomous.¹⁴

CIW's board of trustees by law consisted of five members, of whom three were to be women. Appointed by the governor, the trustees served without salary. First chair of this board was Rose B. Wallace, for many years leader of those who had lobbied for the reformatory. The board's powers were at first extensive, including not only supervision of the institution but also the setting of terms for prisoners and authority to parole. Over the years, these powers were somewhat restricted. Most importantly, in 1944 supervision of the institution became the prerogative of the newly created Department of Corrections. But the board retained its authority to determine release dates and was thus parallel to California's famous (or among prisoners, infamous) Adult Authority, with its similar power over male prisoners.¹⁵

Between 1933 (when the first prisoners arrived) and 1937, the reformatory was run, according to a later account by its first full superintendent, by a former San Quentin guard . . . Miss Josephine Jackson [former head of the women's unit at San Quentin] was made deputy warden, but she was given little or no authority. . . . Miss Jackson had a difficult time of it; among other things, whenever she was called upon to make a decision she first had to telephone the warden, 350 miles away, for confirmation or authorization.¹⁶

After the reformatory had achieved independence through the constitutional amendment, Rose Wallace turned her attention to the securing of a superintendent. For this position she had long had in mind Florence Monahan, whom she had visited a decade earlier in Minnesota while Monahan was superintendent of

that state's women's reformatory at Shakopee.¹⁷ From Shakopee Monahan had, in the meantime, moved on to become superintendent of the State Training School for Girls in Illinois. In addition to her extensive experience, she had a law degree. Monahan accepted Wallace's invitation to take on the superintendency of CIW, arriving at Tehachapi in 1937 and staying on until 1941.

Among the many problems that Monahan confronted at Tehachapi, worst was the difficulty in hiring and retaining staff. "Many qualified people refuse to accept employment at the institution," explained a report of 1944, "because of its remoteness This is also accountable for the high turn-over in employment. . . . (T)he isolated location of the institution makes the staff problem far more difficult than the inmate problem." Monahan did manage to assemble a predominantly female staff, but the hiring problem persisted and was one factor which led, in 1952, to abandonment of the Tehachapi plant and relocation of the prison to Frontera.¹⁸

Inmates and Their Sentences

At first, CIW could receive some misdemeanants as well as felons, but the former group was eliminated by the constitutional amendment of 1936. The minimum age of commitments was legally 18; in practice, however, it was 21, according to Austin MacCormick, for the Ventura School for Girls could receive women up to the age of 21 and courts preferred to send younger women to it. Thus from the time it was fully established, CIW limited itself to felons who were usually over the age of 21.¹⁹

Our limited information on the institution's inmates during its early years of operation comes mainly from two sources: Florence Monahan's autobiography (which gives data on inmates held in 1939) and Austin MacCormick's 1942 report for the Osborne Association (which gives data for 1940). These

two reports confirm one another. According to both, inmates of CIW tended to be older women. Very few were under 20 years, the majority were between 30 and 39 years, and, according to Monahan, in 1939 the average age was 37. The great majority were native-born (88 percent according to Monahan, 93 percent according to MacCormick), with the foreign-born being either Mexican or Oriental. Nearly three-quarters of them were white, 15 percent were black, and the rest, again, were Mexican or Oriental.²⁰

In addition to these demographic data, Monahan's book reports conviction offenses for the 189 women incarcerated at CIW as of 31 December 1939. The outstanding offense category was homicide, 52 inmates (27.5 percent) having been convicted of a crime in this category. Another 46 (24 percent) had been convicted of forgery. Other crime categories into which these women's conviction offenses frequently fell were grand theft (24 cases, or 13 percent), robbery (17 cases, or 9 percent), and burglary (10 cases, or 5 percent). In their conviction offenses, then, the women at CIW differed considerably from those held at some of the early northeastern reformatories; on the other hand, they did resemble women incarcerated at other reformatories (such as that of Ohio, after 1929) which excluded misdemeanants.²¹

As noted earlier, the institution's board of trustees had the power to set inmates' terms and grant paroles. Evidently it retained this power until, in 1977, California returned the power to set terms to the courts. According to a report of 1944, at that time the board's practice was to set a woman's term after she had been at CIW for six months. The board also had the responsibility of supervising parolees. This job proved difficult, for it was expensive to staff parole offices throughout the state. Therefore in the 1970s the separate women's parole units were integrated with those for men.²²

Physical Plant

On their mountainous reservation, the inmates of CIW were confined within a fourteen acre plot by a cyclone fence. There seems to have been a marked incongruity between perimeter security and the buildings within this area. The fence was ten feet high and topped with barbed wire and lights. Three guard towers, though unused, must have intensified the prison-like appearance, and the entrance had a double-gate trap, supervised by male guards. Within the fence, on the other hand, were cottages which, improbably enough, "followed the French chateau country architectural style of pointed roofs and many windows." These were surrounded by flower gardens and appear in photographs to have looked very much like French country manors.²³

There were three of these cottages, an administration building, and various temporary structures at the time the institution opened with a capacity of 144. All the inmate rooms had solid wooden doors with inspection windows, and in one of the cottages the outside windows were barred, a number of "difficult disciplinary cases" having been anticipated. Within, the cottages were more primitive than their external grandeur would have led one to expect; one of them still had no toilets in 1942.²⁴

An investigatory committee of 1944 was highly critical of the CIW plant. It would cost \$200,000 to bring "the present facilities up to the standard," and overcrowding necessitated expansion as well. "The farming facilities," the committee continued,

are entirely inadequate. The dairy barn is unsanitary. The slaughtering facilities would not pass inspection The building program of the institution has not been completed, and for the past 10 years there have been no permanent farm buildings, industrial building or school provided. No permanent structures have been

built since the original opening in 1933. Many of the temporary buildings in use have been condemned.²⁵

The need for extensive additions to the plant, in combination with the institution's unsatisfactory location, eventually led to the decision to relocate CIW to Frontera.

Program

Despite its limited resources, CIW at Tehachapi put together a program of educational, vocational, and recreational activities as good as that provided by the better reformatories of the Northeast. For teachers it relied on the Tehachapi High School. Honors-level inmates were permitted to attend high school night classes, where they reportedly studied welding, lathe work, and mechanical drawing. (It is, however, difficult to imagine many of them traveling the eleven miles back and forth to the town at night to study such subjects.) For the instruction of women restricted to the prison's grounds, teachers came to the prison to provide courses in secretarial skills, handicrafts, physical education, and food preparation. Other courses were taught by inmates, CIW having no educational staff of its own other than a program director.²⁶

Florence Monahan instituted a vocational program which at least kept most inmates busy. When she first arrived at the prison, she discovered with dismay that "Tehachapi was being run as a sort of glorified hotel for a handful of women inmates; the few who had money paid the poorer ones to do their work. A small number were being served morning coffee in bed!" Appalled by the laxity, "At once I put everyone to work with favors for none." The primary industry was a sewing shop with power equipment; there inmates produced American flags and, during the war, "some 20,000 pillow cases for the United

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judge from Austin MacCormick's description and Monahan's own account, Tehachapi was a relatively relaxed institution, operated without the myriad of petty rules which often caused inmate discontent in other women's prisons.³⁰

Removal to Frontera

Following the recommendation of the 1944 Investigation Committee on Penal Affairs, the legislature in 1947 authorized removal of CIW to a more suitable location. A new site of 170 acres was purchased in 1949 about eight miles from Corona and a new prison, with a capacity of 200, was constructed on "a modified cottage plan" with eighty-person units. Even though construction had not been completed, inmates were transferred to the new institution when an earthquake damaged Tehachapi in 1952.³¹

Aside from its individual idiosyncracies, during its early years CIW was in many respects similar to women's reformatories in other regions. It had been established through the agency of women and was run by a female superintendent in conjunction with an institutional board of trustees. It too was deliberately located in a remote area and constructed on the cottage plan. After 1936, CIW did not receive misdemeanants or lesser offenders; however, misdemeanor care had been part of the original vision, and by the mid-1930s reformatories elsewhere were also restricting themselves to felons only. In its program, too, CIW resembled other women's reformatories, having attempted to develop a variety of educational, vocational, and recreational activities.

Why did the reformatory movement have so little impact in other western states? The answer seems to lie with several factors. The region as a whole was settled late and relatively thinly populated. At the time the reformatory movement was at its strongest in the Northeast and Midwest, there were simply

fewer female prisoners in the West to create a perception of need for reformatories. Further, there were, perhaps, fewer middle-class women in the West with both the leisure and the feminist interest to devote their energies to the establishment of women's reformatories.

Western Women's Prisons Established Between 1964 and 1980

More than thirty years were to pass after the founding of CIW before another separate prison for women was established in the West. But beginning in 1964, seven western states established such institutions in fairly rapid succession. In the following sections, these seven women's prisons are grouped into three lots. The first section covers the two prisons which fell closest to the custodial end of the spectrum, high security institutions which provided few programs. The last section deals with the western women's prison which was least custodial in design, Washington's campus-like and fully independent Correctional Institution for Women at Gig Harbor (today the Purdy Treatment Center for Women), sometimes described as the best women's prison in the nation. The middle section deals with four prisons which fall between these two extremes.

Custodial Institutions

Of the seven women's prisons under discussion here, those of Oregon and Colorado conformed most closely to the custodial model.

Previous Arrangements

The provisions made for female prisoners by these two states before they established separate women's prisons were much the same as those which could have been found in California while women were still held at San Quentin: the

women were held at the states' central prisons, off in a corner of their own. At the Oregon State Penitentiary at Salem, they were located in quarters above the administration building and supervised by the wife of a deputy warden. At the Colorado State Penitentiary at Canon City, women were confined in a separate building within the walls until, in 1934, another building was constructed for them just outside of but adjacent to the main prison's wall. The Colorado women were better off in that they had a yard in which to exercise, but women in both institutions lived under primitive, harsh conditions, without the industries and other advantages available to male prisoners. MacCormick's stricture against Oregon could nearly as well have applied to Colorado. "The women prisoners," he wrote, "are required to hew to the same narrow line of conformity as the men, and suffer the added disadvantage of being very few in number and confined to a small and inadequate section" ³²

Backers of the New Prisons and Their Arguments

Both Oregon and Colorado were forced to establish separate prisons for female inmates by build-ups in the numbers of this population. In Oregon, by 1962, 52 women were being held in space designed for 30; similarly, in Colorado in 1962, 48 were being held in space meant for 38. Both states had considered sending female prisoners out of state under the terms of an interstate compact developed in the late 1950s. This compact proved unworkable, however, partly because "A sending state . . . can never be certain that the receiving state will have space for all of its prisoners." And so Oregon and Colorado were thrown back on their own resources. ³³

Colorado addressed the problem quite formally. A legislative resolution of 1962 directed the Legislative Council to make a study of ways in which better accommodations might be provided for female prisoners. This body

considered the needs not only of women in the penitentiary but also those of a few younger felons (under age 25) held at the Denver County Jail (the state's official "reformatory" for women). The Legislative Council concluded its study with the recommendation that Colorado "build a correctional facility for both female penitentiary and female reformatory inmates."³⁴

Establishment

By 1962, Oregon had appropriated funds for construction of its Women's Correctional Center. This was located in downtown Salem, close by the main penitentiary. A cross-shaped, one-story building with four wings, it was surrounded by a fence and guarded from towers of the men's penitentiary. Three of the wings contained cells, individual rooms with security doors; the fourth contained the visiting room, sewing and ironing rooms, and the mess hall. Opened in 1965, this institution was made fully independent by legislation of 1971.³⁵

Colorado's Women's Correctional Institution was established by a law of 1967. It too was located close by the central penitentiary. (This arrangement made it possible to keep down construction costs through the use of inmate labor and avoided the headache of trying to find another community which wouldn't object to establishment of a new prison in its midst.) This prison had three wings, each with 30 rooms and a day room; it also had classrooms, an auditorium-chapel, and a library. According to one description, it was "developed as a series of individual building units attached to a central corridor running the length of the building complex." This prison was opened in 1968 and became fully independent in 1975.³⁶

Inmates

Both of these prisons took felons only. However, the Colorado institution took federal as well as state prisoners. According to a report covering 1973, about 30 percent of Colorado's 67 female inmates were federal cases. Of these 67, 43 percent were white, 33 percent black, and 22 percent Chicano. A report covering 1971-1973 indicates that the Oregon prison held a larger proportion of white women; of 63 inmates, 79 percent were white, 16 percent black, and 5 percent Indian. Unfortunately, we were unable to obtain other data on the characteristics of the women held in these two prisons.³⁷

Administration

Both institutions were, at first, dependent on the nearby men's penitentiaries for services and personnel. For example, before 1975, the head of the Colorado women's prison was the main penitentiary's warden, a female associate warden supervising daily activities under his authority. More recently, both institutions became independent of the parent penitentiaries. According to an 1980 report, in that year the Oregon prison was superintended by a woman (she replaced an earlier male head); that of Colorado, however, was superintended by a male.³⁸ Dependence on a neighboring men's prison for services and personnel, and the possibility of a male superintendent are (as we have noted elsewhere) typical of women's prisons of the custodial type.

Programs and Other Conditions

Like other women's prisons of the custodial type, those of Oregon and Colorado provided (according to reports issued during the 1970s) programs which were impoverished, frequently sex-stereotyped, and weaker than those offered in the nearby prison for men. William G. Nagel, writing in 1973,

criticized the neglect of industrial activities at the Oregon institution: "Salem . . . has [only] small ironing and sewing rooms, the inevitable beauty shop, and the usual service activities." Several years later, a civil rights committee criticized Oregon's Women's Correctional Center for its "minimal" educational program. The Oregon women could take some courses at the main penitentiary, and there was a small educational release program; however, less than half of the state's female prisoners participated in educational and vocational programs. Furthermore, the civil rights committee continued, "As with educational and vocational programs, OWCC prisoners had fewer meaningful job opportunities" than prisoners in men's institutions, their job assignments involving mainly details in the prison's kitchen, business office, clothing room, and library.³⁹

At Colorado's women's prison, too, Nagel found that "industrial activity" had been "largely neglected," the institution having "only a small sewing room, a laundry, and, as in all women's prisons, a beauty shop." For information on conditions at the Colorado institution we have another and more detailed source, a civil rights study of 1974. (This study is, in fact, one of the most thorough and sensitive we have found on conditions in a women's prison during the 1970s.) According to this study, in Colorado "outlets for tension and opportunities for outside contacts are limited or nonexistent for women inmates. They are allowed little meaningful recreation, limited family visits, and no passes or furloughs. Federal prisoners at the Women's facility face even more restrictions than State prisoners, since they are never permitted to leave the . . . grounds." The institution operated a power sewing industry which could employ twelve women, and it offered a few classes. However, "inmates are limited," the report continued, "to a few traditional domestic and secretarial programs that provide entrance only into low-paying

jobs." The women were further "deprived of meaningful rehabilitation programs." The psychologist utilized "attack therapy" and inmates reported institutional overuse of tranquilizing drugs. Medical services were poor, the food high in starches, and racial self-help groups outlawed by the associate warden.⁴⁰

Discipline

In comparison to the Colorado facility, that of Oregon seems to have been a fairly relaxed institution during the 1970s. Inmates were free to walk around most areas and could wear normal street clothes. Each had keys to her own room and could control the lighting within. Earlier, during the 1960s, "even discipline [had been] handled by the penitentiary's all-male disciplinary committee," but presumably that situation changed when the prison became independent in 1971. Nagel reported that, although the institution had four isolation cells, "an administrative decision has kept them out of use."⁴¹

Discipline was more rigid at Colorado's women's prison. The 1974 civil rights study found this institution beset by endless petty and archaic regulations. Its report strongly implied that the director, May C. Gillespie, was a harsh and unfair disciplinarian. "Most of the 20 inmates interviewed complained that they were treated like children in their day-to-day existence," wrote the civil rights committee, "and that the correctional staff and the associate warden [Gillespie] utilized petty rules to implement this philosophy." "(A)rbitrary and restrictive rules," according to another passage of the committee's report, "deprive women inmates of small freedoms afforded to men inmates. . . . (T)he tensions created . . . by the stressful atmosphere sometimes led to . . . dependency on tranquilizing drugs. Further, the abundance of rules and regulations prevents the inmates from making many

personal decisions for themselves." The rules, for example, prohibited talking during television shows, required that pants be worn by women sitting on the ground, and forbade feminist literature. Mail was restricted and censored. Spanish-speaking inmates were forbidden to use their native tongue, and visitors (including attorneys) were discouraged from entering the institution. Another study found "a serious problem with the introduction of contraband, particularly drugs."⁴²

These two prisons, the women's institutions of Oregon and Colorado, thus bore many of the hallmarks of the custodial model. They existed in the shadow of the states' central penitentiaries for men, were relatively high in security level, and allocated few funds and little space for activities. Initially both were dependent on the nearby men's institution, and although they later became independent, they were not necessarily run by women. Their programs offered few opportunities for self-improvement and, at best, tended to funnel women into low-skill, low-paying positions. At the Colorado Women's Correctional Institution, moreover, discipline was during the 1970s notably repressive.

The Middle Range of the Spectrum

Less custodial in their orientation (so far as we have been able to determine from our sometimes limited data) than the women's prisons of Oregon and Colorado, but not so far to the other extreme as the campus-like institution of Washington, were four other women's prisons established in recent years, those of Arizona, Nevada, New Mexico, and Wyoming.

Previous Arrangements

Nevada received women at its State Prison in Carson City after 1869, the year when "a two story building was erected with the upper floor being designed as quarters for females." In some years but one woman resided in these quarters; in many, none at all. A particularly colorful inmate was received in 1872, one Molly Forsha, "a woman of the town" who had killed a Thomas Kelley in Reno and been sentenced to a term of twenty years. In 1874 rumors circulated that Molly had given birth to twins, fathered by Warden Hyman. Ladies of Carson City successfully sought to have Molly pardoned and the warden's misbehavior investigated. When Molly and other female inmates arrived at the prison, the warden's wife stepped in to serve as matron. Eventually Nevada's female prisoner population outgrew its four-person quarters and a new section, double in size, was "sandwiched between the death house and the hospital area." Women at New Mexico's penitentiary were similarly held in somewhat separate quarters and supervised by the warden's wife.⁴³

Arizona's female state prisoners were moved about more over the years, though always, until 1977, to some unit operated in conjunction with the State Prison at Florence. When Garrett and MacCormick visited that institution in the mid-1920s, they found that "no satisfactory quarters are provided for the six women prisoners of the state." Returning several years later they discovered that new quarters had been built for the women between the administration building and the front wall--an improvement but still too close to the men's section.⁴⁴ A National Probation and Parole Association report of 1958 roundly condemned the conditions of Arizona's women prisoners as "deplorable." It quoted from a report made the year before by the State Prison's warden:

"The facilities for the women are inadequate and incomplete. There are no medical facilities The women's section consists of

two wings capable of handling comfortably at most ten inmates each. The women are crowded into these wings without any form or way of segregation whatsoever. . . . (T)he entire women's section is bulging at the seams"

To which the Association's observer added:

(T)he Warden's statement is mild indeed. . . . (F)ifty inmates are packed into this unit with hardly room to move around. The building facilities violate every rule in the book. The walls are so soft that when it rains the water soaks through from the outside⁴⁵

In 1962, the women were relocated to a new building across the road from the main prison. Walled and containing three dormitories, this had a capacity of 60 and seems to have been a considerable improvement, though still dependent on the main prison for most services. In 1977, the women were moved again, this time to rented space in the Maricopa County Jail. The county refused to renew the state's lease on this space in 1979, precipitating the removal to the current quarters, described below.

The fourth state in this group, Wyoming, found a simpler solution: it sent its female prisoners out of state, first to Colorado, then Kansas, and more recently to Nebraska.

Establishment and Physical Plants

By the late 1950s, increases in the number of women held at the Nevada State Prison forced the state to find new quarters for them. The legislature appropriated money in 1961 and the new institution opened in 1964 in Carson City. The original building was a Y-shaped structure; to it at least five additions were made during the 1960s and 1970s. In addition, the Nevada Women's Correctional Center maintained an outside unit for honors inmates.⁴⁶

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intend their women prisoners. (Arizona's Center for Women continued to be run by Jacqueline Crawford, whom Ellis MacDougall had hired in 1978 to lead Arizona's "women's system out of the 19th century.") Only the Women's Center of Wyoming was headed by a male.⁴⁹

The women's prisons of Nevada, New Mexico, and Wyoming received only adult felons. The same may have been true of Arizona's Center for Women, but we were unable to determine whether misdemeanants were excluded from that institution. Two of these four prisons, those of New Mexico and Wyoming, had very small populations, each holding an average of about 25 prisoners in recent years. Those of Nevada and Arizona were larger. Nevada's Women's Correctional Center reportedly held about 100 inmates in 1979, and in 1980 about 140 women were held at the Arizona Center for Women. Because we were unable to obtain more than spotty demographic data pertaining to the inmates of these four prisons, such information must be omitted here.⁵⁰

Programs and Discipline

We were able to obtain information on programs and discipline at two of these prisons, those of Arizona and Nevada. Both at least attempted to keep inmates occupied with institutional chores and courses in basic education and clerical skills. In addition, some college-level study was offered at the Arizona institution, and that of Nevada provided instruction in keypunching and "culinary arts." Neither, however, had an industrial program, and other aspects of their program appear to have been shaped by traditional concepts about work suitable to women.⁵¹

Both institutions maintained discipline by using the old system of "grading" prisoners into progressively privileged classifications. In Arizona, this rewards system consisted of a series of "steps." After an initial thirty

days of examination, inmates entered Step 1, a high security, low privilege classification from which they could work their way up to Step 5 in minimum security. During the eighteen months before parole, they could earn the right to work release, study release, and furloughs. At the Nevada Correctional Center, there was a four-step Progressive Living Program. As in Arizona, new inmates spent thirty days in an intake unit. From there they went to Step 1 for a minimum of two months, during which they were required to attend classes and take a course in Attitudes and Life Skills. Those with positive evaluations progressed to Step 2, involving more privileges and a course in Career Exploration. With entry into Step 4, women could live in units outside the institution, take jobs in the community, and attend community college.⁵²

Washington's Purdy Treatment Center for Women

The four prisons covered in the last section appear to have provided, in recent years, a higher quality of care than the custodial women's prisons of Oregon and Colorado. But none rose to the level of Washington's Purdy Treatment Center for Women, an institution which a recent survey nominated "the best women's prison in the country."⁵³

Previous Arrangements

Washington has a tradition of treating its female convicts relatively well. Before Purdy opened, the state held its women prisoners in units analogous to those operated in the early twentieth century by other states in the region, but it usually dealt with them somewhat more humanely.

At first Washington held women inside the walls of its State Penitentiary at Walla Walla, originally isolating them in a garret room above the mess hall. By 1926, according to Garrett and MacCormick, they were "housed in

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quarters outside of the prison proper" but close enough to be guarded from a tower on the prison's wall. Up to this point, there was nothing out of the ordinary in their treatment. But in 1930 a new women's building was erected, "U-shaped with a wall at the open end forming a recreation courtyard in the center."⁵⁴ This had a capacity of 60 but held only 30 women when MacCormick revisited in 1940. He described "a wide expanse of lawn" and reported that:

The women's unit is livable, well-planned and entirely separated from the main institution Considering their small number, . . . the women have a relatively active program. They appear to receive humane and understanding treatment, are not required to conform to meaningless regulations, and use is not made of a dark room for solitary confinement punishment.⁵⁵

They had few jobs or programs, but, apparently, better health care and more recreational activities than were available to most other women prisoners in the region.

Establishment

By the 1960s, however, the quality of care had deteriorated considerably due to overcrowding. Now 90 or more were confined in the space designed for 60 and it became "necessary to house some of the women in corridors and infirmary rooms, without proper supervision." This overcrowding forced Washington to consider creating a new prison for women, a step which voters approved in a referendum of 1966.⁵⁶

Legislatively established in 1967, the Washington Correctional Institution for Women (as it was originally known) was located on an eighty-acre tract near Tacoma. It opened in 1971 and received felons only.⁵⁷

Physical Plant

Perhaps the most remarkable aspect of Purdy was its architecture. According to one recent description, "the Center's low brick and concrete buildings face a landscaped and paved inner courtyard," and the planners "captured more of a community college atmosphere than that of a prison." The plant included minimum, medium, and maximum security units, but "All rooms are private (each resident has her own key) and each wing has a living area with fireplace, a kitchennette, laundry room, visiting room and lavatory and shower facilities." The plant also included a school building and a playground for visiting children. Near the entrance was a separate building with apartments for inmates on work-release.⁵⁸

Administration

Through 1980, Purdy was always headed by a female superintendent, although this was not required by the establishing legislation. The first head, Edna Goodrich, was apparently well liked by staff and inmates alike. A report of 1974 described her as "on a mutual first-name basis with the 150 inmates, many of whom tap on her office window when they have a problem. She and other staff members eat together with the residents in the cafeteria Most residents display an obvious affection for Mrs. Goodrich."⁵⁹ Sue Clark, who took over from Goodrich in 1975, seems to have been regarded more coolly by inmates. According to one recent article, at least, they found her repressive and too quick to impose unnecessary rules and regulations:

Inmates complain that Purdy has "tightened up" a great deal since Sue Clark became superintendent. "Purdy's not what it used to be," they say, and indeed it is not. Clark has placed limitations on visiting, packages and personal belongings, and has structured the

inmates' daily activities. When she arrived at Purdy, Clark says, "it seemed to be a permissive juvenile type of model. Women could sleep all day" Clark's "firming-up" took the form of what she terms "a highly structured behavioral management program" with the expectation of "a lot of accountability from residents and staff."⁶⁰

Program and Discipline

Purdy's "highly structured behavioral management program" in the late 1970s resembled the "step" rewards systems of Arizona and Nevada. New inmates, according to one description, were sent to the maximum security unit "until they . . . demonstrated they [could] cope with the Center's day to day program." From there they were promoted to medium security, a level in which "residents have numerous educational and recreational opportunities--ranging from courses toward completion of a high school diploma to entry level college courses. Basic business courses and data processing classes are also taught," as were home economics, child development, arts and crafts, and the ubiquitous cosmetology. During the last six months of their terms, Purdy inmates were allowed to live in the apartments and participate in the work-release program.⁶¹

Even Purdy's program fell short of the ideal, however. Inmates described its behavior modification program as "juvenile" and "ridiculous." There was, in fact, little vocational training, and aspects of the program were sex-stereotyped. Yet the institution paid more than lip service to the goal of rehabilitation. In addition to its behavior modification program, it had drug counselors and other therapists and encouraged contact with community groups.

Moreover, it was (and continues to be) well-known for its efforts to foster contacts between inmates and their children.⁶²

In a number of respects, Purdy in the late 1970s was reminiscent of the first reformatories for women, those established in the late nineteenth century. Emphasizing normalization, it eschewed the stigma of traditional prison garb and institutional routines. Like the first reformatories, it tried to keep rules to a minimum and provide pleasant surroundings. It stressed rehabilitation, avoided harsh punishments, and was better staffed than custodial institutions. Moreover, just as the reformatories made use of a new terminology (not "convicts" but "inmates," not "wardens" but "superintendents"), so did Purdy develop a new vocabulary, calling guards "counselors" and inmates "residents." Yet another way in which Purdy resembled the early reformatories lay in the fact that it, too, had pioneered in the development of a new architectural model for the female prison. The reformatories, breaking with traditional adult prison architecture, had developed the cottage plan. Purdy--like a few other recently built women's prisons but more successfully--abandoned the cottage plan and moved on to adopt the architectural style of a modern college campus.

Conclusion

The most striking feature of the women's prison system of the West is its diversity. Indeed, the region provides a way to summarize the development of the women's prison system as a whole, including as it does institutions at all stages of that system's development over time. Some western states remain at the earliest developmental stage (a descriptive, not moral statement), continuing to hold women in their central, predominantly male prisons just as

other states did in the early nineteenth century. The region includes one prison which began as a reformatory and others of an almost purely custodial nature. It also includes Purdy, the outstanding example of the new, campus type of women's prison which is, today, beginning to emerge as a third model among women's prisons.

Notes

¹U.S. Department of Commerce, Bureau of the Census, Statistical Directory of State Institutions for the Defective, Dependent, and Delinquent Classes (Washington: Government Printing Office, 1919):206-209; Paul W. Garrett and Austin H. MacCormick, eds., Handbook of American Prisons and Reformatories, 1929 (New York: National Society of Penal Information, 1929):247, 252; American Correctional Association, Directory 1980 (College Park, MD.: 1980):75; U.S. Comptroller General, Women in Prison: Inequitable Treatment Requires Action (Washington, D.C.: U.S. General Accounting Office, December 1980):40.

²U.S. Department of Commerce, Bureau of the Census, Statistical Directory of State Institutions for the Defective, Dependent, and Delinquent Classes: 222-225; Garrett and MacCormick, Handbook of American Prisons and Reformatories, 1929:546, 551; American Correctional Association, Directory 1980:139. Different information on the current situation of women prisoners in Montana appears in Joan Potter, "In Prison, Women Are Different," Corrections Magazine (December 1978):15 ["Montana's 12 women are divided between a separate Life Skills Center in Billings and a coed facility in Missoula"].

³Garrett and MacCormick, Handbook of American Prisons and Reformatories, 1929:925, 930; American Correctional Association, Directory 1980:233.

⁴Eugenia Cornelia Lekkerkerker, Reformatories for Women in the United States (Batavia, Holland: Bij J. B. Wolters' Uitgevers-Maatschappij, 1931): 122 [Washington's attempt]; Social Issues Research Associates, "Punishment of Female Felons: An Empirical Analysis of Policy Alternatives," Concept Paper prepared for National Institute of Law Enforcement and Criminal Justice, LEAA (Berkeley, CA.: December 1979):10 [California effort].

⁵Social Issues Research Associates, "Punishment of Female Felons":8-9.

⁶James A. Johnston, Prison Life is Different (Boston: Houghton Mifflin, 1937):253.

⁷Garrett and MacCormick, Handbook of American Prisons and Reformatories, 1929:158, 168.

⁸Social Issues Research Associates, "Punishment of Female Felons":9-10.

⁹Johnston, Prison Life is Different:255 [quotation]; Milton Chernin, "A History of California State Administration in the Field of Penology" (unpublished Master's thesis, University of California, 1930):94-95 [support of the State Board of Charities and Corrections]; California, Statutes of 1929, p.490.

¹⁰Austin H. MacCormick, ed., Handbook of American Prisons and Reformatories: Volume II, Pacific Coast States, 1942 (hereafter Handbook 1942) (New York: The Osborne Association, 1942):352, citing the CIW's Board of Trustees; California, Governor's Investigation Committee on Penal Affairs, Final Report, January 21, 1944 (Sacramento: California State Printing Office, 1944):46-47 [snowstorms, winds, staff objections].

¹¹Social Issues Research Associates, "Punishment of Female Felons":11; Florence Monahan, Women in Crime (New York: Ives Washburn, 1941):180.

¹²Monahan, Women in Crime:180.

¹³This struggle for control over women inmates in California, a struggle between the women who wanted to run CIW on the one hand and the men who ran the rest of the prison system on the other, was similar to a battle of about the same time between female and male federal prison administrators over women held at Alderson, the first federal prison for women; see Claudine SchWeber, "'The Government's Unique Experiment in Salvaging Women Criminals': Cooperation and Conflict in the Administration of a Women's Prison," in Nicole H. Rafter and Elizabeth A. Stanko, eds., Judge, Lawyer, Victim, Thief: Women, Sex

Roles, and the Criminal Justice System (forthcoming, Boston, MA.: Northeastern University Press, 1982).

¹⁴California, Statutes of 1935, Ch. 83, Ch. 497, sec. 17.

¹⁵MacCormick, Handbook 1942:330; Monahan, Women in Crime:181; Frank B. W. Hawkenshire, "A History of the California State Department of Corrections, 1944-59" (unpublished Master's thesis, University of California at Berkeley, n.d.):8, 11 (on change of 1944).

¹⁶Monahan, Women in Crime:180-181.

¹⁷Ibid.:175.

¹⁸California, Governor's Investigation Committee on Penal Affairs, Final Report, January 21, 1944:46. Also see California Institution for Women, Report 1943-1944:81 and California Senate Standing Committee on Institutions, Final Report (California Senate, 1949 Regular Session):6.

¹⁹Lloyd L. Voigt, History of California Correctional Administration From 1930 to 1948 (San Francisco: [no publisher named], 1949):7, 11; MacCormick, Handbook 1942:327.

²⁰Monahan, Women in Crime:178-179; MacCormick, Handbook 1942:332.

²¹Monahan, Women in Crime:178.

²²California Institution for Women, Report 1943-1944:47; California, Governor's Investigation Committee on Penal Affairs, Final Report, January 21, 1944:45 ["The parole supervision is entirely inadequate"]; Social Issues Research Associates, "Punishment of Female Felons":13 [changes of the 1970s].

²³Monahan, Women in Crime:177 [quotation]. For a detailed description, see MacCormick, Handbook 1942:327-330.

²⁴MacCormick, Handbook 1942:329.

²⁵California, Governor's Investigation Committee on Penal Affairs, Final Report, January 21, 1944:45.

²⁶California Institution for Women, Report 1943-1944:82; MacCormick, Handbook 1942:340-341.

²⁷Monahan, Women in Crime:183; California, Governor's Investigation Committee on Penal Affairs, Final Report, January 21, 1944:45; MacCormick, Handbook 1942:335.

²⁸MacCormick, Handbook 1942:342.

²⁹Monahan, Women in Crime:178, 184; California Institution for Women, Report 1943-1944:83 [merit system]; MacCormick, Handbook 1942:343 and California, Governor's Investigation Committee on Penal Affairs, Final Report, January 21, 1944:46 [inmate council].

³⁰Governor's Investigation Committee on Penal Affairs, Final Report, January 21, 1944:47.

³¹Ibid. ["(A) better purpose could be served in abandoning the present Tehachapi location and using these funds to erect or purchase another site more suitable"]; California Department of Corrections, BR 1948:75; Hawken-shire, "A History of the California State Department of Corrections":83-84. Also see California Senate Standing Committee on Institutions, Final Report (Sacramento?: Senate of the State of California, 1929).

³²MacCormick, Handbook 1942:385.

³³Oregon State Board of Control, BR 1962: 177 [data], 158 [interstate compact]; Colorado Legislative Council, Correctional Facilities for Female Offenders (typescript report to the Colorado General Assembly), December 1962: xi [data], 4-5 [interstate compact], 10 [quotation].

³⁴Colorado Legislative Council, Correctional Facilities for Female Offenders:xi, xv [quotation].

³⁵Oregon State Board of Control, BR 1962:158 [\$300,000 have been appropriated by legislature]; National Council on Crime and Delinquency, A Balanced

Correctional System for Oregon (New York, 1966):4.36 and Oregon Advisory Committee to the U.S. Commission on Civil Rights, Civil and Human Rights in Oregon State Prisons (January 1976):17 [descriptions]; Oregon, Revised Statutes 1977, sec. 421.610.

³⁶Colorado Department of Administration, Corrections Master Plan: Volume I, 1977:3.14-3.15 [on both pieces of legislation; also see Colorado Revised Statutes 1973, sec. 27-21-101]; Colorado Legislative Council, Correctional Facilities for Female Offenders [reasons for choosing Fremont City]. The quotation comes from the Department of Administration's Corrections Master Plan: Volume I:4.6.

³⁷Colorado Advisory Committee to the U.S. Commission of Civil Rights, Colorado Prison Study (typescript; September 1974):70; Oregon Advisory Committee to the U.S. Commission on Civil Rights, Civil and Human Rights in Oregon State Prisons:17-18.

³⁸American Correctional Association, Directory 1980:201, 22.

³⁹William G. Nagel, The New Red Barn: A Critical Look at the Modern American Prison (New York: Walker and Company, 1973):117; Oregon Advisory Committee to the U.S. Commission on Civil Rights, Civil and Human Rights in Oregon State Prisons:26, 28, 37.

⁴⁰Nagel, The New Red Barn:117; Colorado Advisory Committee to the U.S. Commission on Civil Rights, Colorado Prison Study:133, 126, 128, 79-82, 86.

⁴¹National Council on Crime and Delinquency, A Balanced Correctional System for Oregon:4.36; Nagel, The New Red Barn:86.

⁴²Colorado Advisory Committee to the U.S. Commission on Civil Rights, Colorado Prison Study:72, 132; Colorado Department of Administration, Corrections Master Plan: Volume I:7.3

⁴³Nevada Department of Prisons, "Programming: Nevada Women's Correctional Center" (Carson City: Department of Prisons, November 1979):1 [both quotations]. We are grateful to Martha S. Conard, Superintendent of the Center, for sending us a copy of this typescript document. The information on Molly Forsha comes from xeroxed card catalog materials sent to us by Phillip Earl, Curator of Exhibits, Nevada Historical Society, to whom we are also indebted.

⁴⁴Austin H. MacCormick and Paul W. Garrett, eds., Handbook of American Prisons, 1926 (New York: G. P. Putnam's Sons, 1926):99; Garrett and MacCormick, Handbook of American Prisons and Reformatories, 1929:131, 136-137.

⁴⁵National Probation and Parole Association, Correctional Services in Arizona, 1958 (New York: National Probation and Parole Association, 1958?): 125.

⁴⁶Nevada Department of Prisons, "Programming: Nevada Women's Correctional Center."

⁴⁷Vergil L. Williams, Dictionary of American Penology (Westport, CN.: Greenwood Press, 1979):258, 177; American Correctional Association, Directory 1980:252, 157.

⁴⁸Gail Tabor, "Women in Prison: A Progressive Step to Knowledge, Self-esteem," The Arizona Republic, 27 January 1980:D2.

⁴⁹Ibid.:D3; American Correctional Association, Directory 1980.

⁵⁰American Correctional Association, Directory 1980; Nevada Department of Prisons, "Programming: Nevada Women's Correctional Center":1; Tabor, "Women in Prison":D1.

⁵¹Tabor, "Women in Prison"; Nevada Department of Prisons, "Programming: Nevada Women's Correctional Center," esp. p. 4.

⁵²Tabor, "Women in Prison"; Nevada Department of Prisons, "Programming: Nevada Women's Correctional Center."

⁵³Joan Potter, "In Prison, Women Are Different":22.

⁵⁴MacCormick and Garrett, Handbook of American Prisons, 1926:566; Garrett and MacCormick, Handbook of American Prisons and Reformatories, 1929:971 ["overlooked by one of the guardtowers on the prison wall"]; MacCormick, Handbook 1942:415.

We are grateful to Martha Wandel, Research Analyst for the Washington Department of Social and Health Services, for sending us a useful report by Jim Horne, Hazel Robinson, Lora Stonefeld, and Martha Wandel titled "Female Recidivism in Washington From 1966-1976" (typescript with no publication data). This report states (p. 1) that "it was not until 1935 that a small building was constructed outside the walls of the penitentiary to house women." However, in this respect the report appears to be inaccurate, for according to MacCormick (Handbook 1942:415) and other sources, the outside women's building was built in 1930.

⁵⁵MacCormick, Handbook 1942:424-425.

⁵⁶Washington Department of Institutions, BR 1963:10; Horne et al., "Female Recidivism in Washington From 1966-1976":1 ["By the 1960's the inmates numbered in the 90's"], 2 [referendum].

⁵⁷Washington, Session Laws 1967, Ch. 122.

⁵⁸Horne et al., "Female Recidivism in Washington From 1966-1976":2.

⁵⁹R. V. Denenberg, "Profile/Washington," Corrections Magazine (November-December 1974):36.

⁶⁰Potter, "In Prison, Women Are Different":24.

⁶¹Horne et al., "Female Recidivism in Washington From 1966-1976":2-3; also see Potter, "In Prison, Women Are Different":24.

PART III
IN-DEPTH STUDIES

CHAPTER 6

FEMALE STATE PRISONERS IN TENNESSEE, 1840-1979

Establishment of a State Prison for Women in
Tennessee: Overview of the Process

In Tennessee, the process by which an independent prison for women was established was a very gradual one, extending over a period of nearly one hundred years. Through the Civil War, the sexes were mixed together in the state's penitentiary (as Tennessee's only prison was called); there they received roughly equal treatment. Then, beginning about 1880, the separation process occurred in a series of five steps. First, female prisoners were isolated in one part of the penitentiary. Second, in the 1890s a separate wing was built in which to hold them. At the turn of the century women were removed to a building separate from the men's quarters but still within the penitentiary's perimeter wall. The fourth step was made in 1930, when Tennessee built for its female prisoners a cell-house physically apart from the main penitentiary but still on its grounds and administratively dependent. The last step toward independence was not taken until 1965, the year in which female prisoners were provided with a new and entirely autonomous prison.

1840-1880

The earliest state prison in Tennessee--and indeed in the entire South--opened in Nashville in 1831, fruit of a reform movement to replace physically violent punishments with imprisonment. The disciplinary system of the Tennessee State Penitentiary was the "silent" system associated with the prison at Auburn, New York: inmates were gathered together during the day for silent labor--for the women, mainly sewing-- and at night they were isolated in separate cells. For the first ten or fifteen years, the Tennessee State Penitentiary was a progressive institution for its time. By 1845, however, decline had set in: concern to maximize the profits from prisoner labor, in combination with a shift in Southern attention from social reform to the issue of slavery, led to deterioration in the quality of convict care.¹ On the eve of the Civil War the penitentiary still lacked an adequate water supply, and the warden was forced to inquire of the legislature,

What shall be done with the excrement arising in the prison in the future? You are aware it has been deposited on a vacant lot adjoining the prison property on the outskirts of Nashville² for the last fifteen years. . . .

The people living in the vicinity are complaining²

. . . .
During the war, conditions deteriorated to the point that the prisoners were, at times, practically forgotten.

Few women, probably no more than thirty-five in all, were sentenced to this prison in the pre-war and Civil War periods. (It is difficult to compare this figure with the number of men as the prisoner registries did not number inmates consecutively; however, the male population over the same period was many times larger, probably numbering in the thousands.) Whereas the penitentiary received its first male prisoner in 1831, it did not receive its first female prisoner until 1840; 453 men had preceded her. She was Nancy Ann Smith, a twenty-year-old woman of color convicted of larceny and sentenced to serve three years.³ (After serving two, she was pardoned by the governor.) Table 6:1 presents an evidently complete list of all female cases received at the penitentiary through 1865.

As the table indicates, women held at the penitentiary through 1865 were serving time not for female-specific offenses such as prostitution but for crimes for which males were also likely to be held. Nor were they often accorded special treatment on the basis of sex. Indeed, these female convicts were apparently not even isolated in a separate section of the penitentiary but rather were celled next door to men. In the early 1840s Governor James K. Polk appealed for "Suitable Apartments" in which to isolate them, but decades were to pass before his appeal met a positive response.⁴

An indication of slightly differential treatment of females can be found in an act of 1843 in which the legislature

TABLE 6:1

FEMALE STATE PRISONERS RECEIVED AT THE TENNESSEE STATE PENITENTIARY 1840-1865

	OFFENSES										RACE		TOTALS
	Arson	Bigamy	"Felony"	"Threat to Kill"	Larceny	Malicious Stabbing	Manslaughter	Murder	Perjury	Unspecified	Black	White	
1840					1						1		1
1841					1							1	1
1842													0
1843		1			1							2	2
1844													0
1845													0
1846							1			1			1
1847					1						1		1
1848					1				1		2		2
1849													0
1850													0
1851							1				1		1
1852				1							1		1
1853	1										1		1
1854													0
1855	1										1		1
1856					1			1			2		2
1857	1				1	1					3		3
1858					1		3				4		4
1859		1			1						2		2
1860					1	1					2		2
1861					4						4		4
1862													0
1863					1						1		1
1864			1								1		1
1865					1					1			1
Totals	3	2	1	1	15	1	2	5	1	1	3	29	32

SOURCE: Convict Record Book 1831-74, Record Group 25, Series 12, vol. 86, Tennessee State Library and Archives.

NOTES: 1) Offenses: The "Intent to Kill" case was probably an assault with a deadly weapon. The Larceny category includes petit and grand larceny; the Manslaughter category includes involuntary manslaughter. 2) Cases: The two 1848 cases are not clearly female (first names of Patia and Malinda). The three murder convictions of 1858 were all for Infanticide; those convicted appear to have been related and to have committed the offense in concert. The table begins with 1840 as no female cases appear before that year.

instructed the penitentiary keeper to "receive with Pricilla Childress, a convict from the county of Giles, her infant child." Similarly, Bridget Tienoay, sentenced in 1861 for larceny, was released before her sentence expired "on act of being pregnant."⁵ But usually no distinction was made between the sexes. Signifying this homogeneous approach are the convict lists and hospital reports of the nineteenth century, which did not separately group the females' names until near the century's end: attention was awarded on a first-come, first-served basis, not on that of sex. The treatment of female convicts was not better, certainly, than that of the males, and worse only if we consider the lack of privacy and the possibility for victimization which flowed from the supervision of females by exclusively male personnel.

Most of the female convicts in the antebellum period were white. Because slave owners punished their slaves privately, only a few, free blacks joined whites in penal institutions. An exception to this rule was "Clarissa negro slave," listed as such in the prisoner registry and the subject, in 1852, of a special legislative act authorizing the warden to "deliver over to Capt. William Darwin, of Franklin county, . . . a negro slave named Clarissa, now confined in said Penitentiary." But it was not until after the Civil War that the racial composition of southern female convict populations-- as of southern prisons as a whole--began to include significant numbers of blacks.⁶

In the years which immediately followed the Civil War, female convicts continued to be treated much like the males-- even to the extent of being sent with them to work in the state's coal mines and as contract convict laborers on railroads. The fragmentary records which survive of convicts who were worked outside the penitentiary in the 1870s list, among others:

--at the Sewanee Coal Mines, Betty Scott, received in September, 1870, for murder and Florence Washington, received in April, 1873, for larceny;

--at the Vulcan Coal Mines, Mary Sanders, received in August, 1871, and Mary Ducket, received in February, 1872, both for larceny;

--at Battle Creek Coal Mines, Kate Harris, received August, 1870, for larceny and Mary Waethall, received in November, 1873, for grand larceny;

--working on the Cumberland and Ohio Railroad, Sarah Ellis, received in 1873 for assault with intent to rob and Maggie Marshall, received in 1874 for larceny;

--working on the Paducah Railroad, Minnie Simmonds, received January, 1871, for grand larceny and Isabell Walker, received in May, 1872, for attempted murder.

These and the few other examples indicate that it was by no means unthinkable to send female prisoners with men to the mines and railroad camps. Yet the event was unusual enough for the women to be very nearly and sometimes entirely alone in groups of men.

1880-1897

By the early 1880s, the policy of sending women outside the walls for hard labor seems to have been abandoned. At the same time, women began to be sentenced to the penitentiary in much greater numbers than in the pre-war period. This rapid growth in the institution's post-war female population caused the first step to be taken in separation of women from the men. The rest of the century was characterized by efforts to find a no-cost way to hold female convicts in the penitentiary but separate from the males. None of these efforts succeeded. This transitional, experimental phase of the late nineteenth century came to an end in 1898, when an entirely new penitentiary, with a separate building for women, was constructed.

After the war, as the number of female convicts in the penitentiary increased, the intermingling of the sexes became more troublesome. In 1881, the penitentiary's Inspectors ordered the warden to "see that the male and female prisoners be kept separate [sic] and apart at all times and upon all occasions," and in the following year the warden reported that women were being held in a Female Department. This was located in the main building--a brick structure which formed the entrance to the penitentiary and also held the warden's office, the hospital and a sleeping area for guards. The Female Department lacked cells and was lower in security than the

men's section, and yet it was probably more crowded and certainly less subject to regulation.⁸

Removal of the female convicts to the main building created problems. In the report of 1882 the warden complained that the windows of the Female Department "overlook the Prison yard, in plain view and hearing of the male convicts, which is very demoralizing in its tendency." He urged erection of a separate wing for the women, "entirely out of sight and hearing of the male convicts," and recommended that a matron be hired to manage it.⁹

The warden's first recommendation was fulfilled a decade later with the erection, in 1892, of a wing for women prisoners within the perimeter wall but separate from the men's quarters. In addition to the proximity of the sexes of which the warden had complained, at least three other factors fed into creation of this separate wing for women. First, interest in improving the care and security of the female convicts was probably stimulated by their frequent escapes from the main building: of thirty-one escapees in 1889 and 1890, five had been female. Second, in 1889 the National Prison Association, which for two decades had been backing the establishment of separate prisons for women, held its annual meeting in Nashville. The warden of the Tennessee State Penitentiary attended and wished to emulate "in Tennessee the prison reforms that are being inaugurated all over the country." Third (and most important to the legislature), a "convict war" of the early 1890s had

resulted in sudden and drastic overcrowding at the Nashville penitentiary. During this "war," free miners who were determined to replace convict labor with their own sent many hundreds of convicts back to the penitentiary from the coal mines in boxcars. The resultant demand in Nashville for additional cells combined with the wish to improve the control and care of female convicts and led to erection of the separate women's wing in 1892.¹⁰

Removal of the female convicts to the new wing, however, proved unsatisfactory from the start. The women's wing had only sixteen cells--for forty-five prisoners in 1894. There was no employment, no program, not even a place for women to exercise. Through idleness, they grew troublesome; a number escaped. Some were sent outside the walls to work but this practice was evidently abused (perhaps with forced prostitution), for in 1897 the legislature made it a misdemeanor for any prison officer "to hire or let any female convict to any person on the outside as cook, washerwoman, or for any other purpose." The most serious problem with the new arrangement was the lack of a matron who might supervise the female prisoners. Early in the 1890s the legislature had established the position of Matron, but it refused to appropriate funds to fill the position despite the warden's urgent pleas. "(T)here is no matron, for there is no appropriation to pay for the services of the matron," he stormed in his report of 1894. "A matron is absolutely needed A woman only knows the

diseases, distresses and wants of the female sex, and their proper treatment, physically, morally and mentally." Several years more were to pass, however, before the legislature¹¹ finally funded the post.

Creation of the separate women's wing, then, spelled not improvement but deterioration in the quality of care of female convicts held at the Tennessee State Penitentiary. They were now being treated differently from the men--and unequally, lacking the men's opportunities for work and exercise and their access, however minimal, to prison personnel.

1898-1930

The entirely unsatisfactory arrangement of the women's wing was terminated when, in 1898, Tennessee replaced its antiquated penitentiary with a new one which included a completely separate building for women. Establishment of this female facility--separate (though not administratively independent) and headed by a matron--marks the third step in the process whereby Tennessee finally created an entirely independent prison for women.

The "convict war" which glutted the prison in the early 1890s, together with a prison fire in the same period which destroyed badly needed cells, finally forced the reluctant legislature to face the necessity of building an entirely new penitentiary. In 1893 the legislature authorized construction, on a new site further outside Nashville, and at the same time

it provided for a classification system "for the keeping of male and female convicts separate and apart." In 1897 it further provided that "there shall be a matron for the new main prison, whose duty it shall be to look after the morals, good conduct, comfort, moral and religious training of the female convicts." Her salary was set at \$300 per annum--one quarter that of the warden and less, even, than that of the male guards. The next year, 1898, the first matron was appointed, and the female convicts were moved to the new prison.¹²

The new Woman's Building was located in the northwest corner of the penitentiary yard--as far as possible from the men's quarters--and surrounded "by a strong, solid fence of wood." It had forty-eight cells, but in contrast to the cells in the men's quarters, which were designed to hold individual convicts, some of the cells in the Woman's Building were large enough to hold "several inmates." (This arrangement, which is more frequently associated with institutions for children, women and the mentally disordered than those for adult males, was of course cheaper to construct than separate cells.) The Woman's Building had no bathing facilities and no kitchen of its own. Food for the women, according to an investigating committee of 1908, was carried across the yard "and served almost any way. We think the women are entitled to have their meals served at least as well as they are served in the men's dining room." Although the Woman's Building lacked facilities for bathing and eating, it did include a laundry capable of handling the wash for the entire prison.

The matron may have been the sole officer in charge of the women; at least the penitentiary reports make no reference to female guards or other female personnel, and male personnel were excluded from the Woman's Building. Yet despite her heavy responsibilities, the matron was very clearly subordinate to the warden. According to the prison's report of 1898, the Governor had recently appointed "a white female Matron, who shall have entire control of the woman's department, under the supervision of the Warden" She "may live in the female prison, where comfortable quarters shall be provided for her" There she was expected to "superintend and direct the work of the female convicts . . . and report as often as required to the Warden." Yet despite her numerous and constant duties, the matron was not considered a prison official at all by the prison commissioners.¹⁴ We are told the names of the successive matrons only incidentally, and these women never wrote separate reports to the legislature, the warden rather accounting for them in his biennial reports.

The program for the female convicts, while an improvement over the nearly total idleness of the period 1892-1898, was still minimal and appears to have remained so at least through the 1930s. There were church services on Sundays, usually followed by Sunday School taught by the matron or women from Nashville. On two evenings a week, the matron, with convict assistants, taught the illiterate convicts. As for industry, in the early twentieth century the women worked in the

penitentiary's hosiery factory, along with "the lame, young and weaker male" convicts; there, under the contract system, they produced stockings for a new Hampshire firm.¹⁵ This regimen was clearly and unashamedly devoid of rehabilitative considerations.

1930-1965

The type of women's unit built in 1898 had reflected Tennessee's lack of interest in creating special programs for female offenders. This indifference to rehabilitation was also reflected in the next step taken by the state in its provision for female prisoners, the construction of a Women's Prison in 1930.

This Women's Prison, like its predecessor, originated in a need for more space: about 100 women were being crowded into the forty-eight cells of the old Woman's Building by 1930.¹⁶ The new female prison, erected on penitentiary property but a mile-and-a-half from the main penitentiary, was the state's first physically independent penal institution for women. But a visiting reformer from the north would probably have mistaken it for a men's institution, so little did it conform to the model there evolving of what an independent women's prison "ought" to look like. Instead of being built on the cottage plan, the Women's Prison was cruciform in shape and contained cell blocks with tiers four stories high. Whereas the modern northern women's prison expressed architecturally its low concern with security, the Tennessee Women's

Prison was a high security institution, with bars on the windows and cells distanced from the windows by a corridor. Not only did the Nashville Women's Prison lack the farm which was usually part of the northern women's reformatory; it lacked even a yard where the women might exercise.

This Women's Prison offered inmates a program even more impoverished than that of men's prisons in most states, including Tennessee. The care it provided, according to a report by the Department of Institutions and Public Welfare, was "almost purely custodial. Practically nothing is done in the way of treatment and training." There was no teacher and no physician, and the matron enjoyed no administrative independence but rather functioned much like a female guard under the supervision of the penitentiary warden. Even the employments of the past--running the laundry and manufacturing hosiery--were now denied to women prisoners. The "library" consisted of "about 200 nondescript volumes, most of them in bad condition." Conditions were especially bad for black women: the prison consisted of two wings of equal capacity, one designated for whites and the other for Negroes. However, while the white wing was usually underpopulated, the "Negro wing" was "almost constantly overcrowded."¹⁷

Before this Women's Prison was a decade old, the Department of Institutions began calling for its replacement. The recommendation was based partly on recognition of the plant's

inadequacies, partly on a desire to use this building for reception and classification of incoming male prisoners. (This is, in fact, the building's main function today.) But the recommendation, though repeated, did not produce results until the mid-1960s.¹⁸

1965: Establishment of the Tennessee
Prison for Women

With the creation of a new Tennessee Prison for Women in 1965, the state took its fifth and final step in the establishment of an independent prison for women. For the first time, the female institution was both physically separate from and administratively independent of the men's institution. Moreover, for the first time with the opening of this prison, the state's female prisoners began receiving care superior to that available to men.¹⁹

The new plant, located in the Bordeaux section of Nashville, is considerably more removed from the men's penitentiary than was its predecessor. It consists of five main buildings of concrete and glass, enclosed by a fence and surrounded by farmland. The low dormitory buildings contain rooms, not cells, and like other recently erected women's prisons, that of Tennessee, too, now outwardly resembles a college campus. The institution is overcrowded (in July of 1979 its capacity was 115, its population 217), and it offers a fairly traditional program of basic education and job training, yet it is doubtless regarded with envy by men who continue to be incarcerated in the old penitentiary.

The Prisoners

Who were the women who served time in the successive accommodations provided by Tennessee for female state prisoners? This section explores the answer to that question with data derived from entries made in the prisoner registries between 1840 and 1934. The overall picture which emerges is one of women who, prior to incarceration, suffered from severe social dislocation and isolation.

Of the women sentenced to the penitentiary in this period of roughly one hundred years, 78 percent were black. However, as Table 6:2 shows, the proportion black varied from a low of 12.5 percent in the pre-Civil War years to a high 90 percent at the turn of the century:

TABLE 6:2

RACIAL COMPOSITION BY PERIOD OF SAMPLE OF WOMEN SENTENCED TO TENNESSEE STATE PENITENTIARY, 1840 THROUGH 1934, IN PERCENTAGES

	Black	White	Other	Totals Across
1831-1859	12.5 (3)	87.5 (21)	0	100.0 (24)
1860-1887	70.7 (29)	29.3 (12)	0	100.0 (41)
1888-1892	83.3 (60)	16.7 (12)	0	100.0 (72)
1893-1903	90.5 (237)	9.5 (25)	0	100.0 (262)
1904-1911	90.7 (49)	9.3 (5)	0	100.0 (54)
1912-1922	85.4 (204)	14.6 (35)	0	100.0 (239)
1926-1934	65.3 (169)	34.7 (90)	0	100.0 (259)

About two-thirds of these women had been born in Tennessee, and most of the rest of them had also been born in the South:

TABLE 6:3

PLACE OF BIRTH OF SAMPLE OF WOMEN SENTENCED TO TENNESSEE STATE PENITENTIARY, 1840 THROUGH 1934

	Number	Percent
Tennessee	621	67.3
South, excluding Tennessee	256	27.7
Northeast	8	.9
Midwest	34	3.7
West	1	.1
Foreign-born	3	.3
Totals	954	100.0

Closer scrutiny of the place of birth of these women indicates that many had moved north from the deeper south: 6.1 percent of the sample had been born in Georgia, 5.2 percent in Mississippi, another 3.9 percent in Alabama. Such women appear to have been part of a post-Civil War northward migration. This impression is strengthened by the fact that many were arrested in the western part of the state, an area sparsely populated but bordering on the Mississippi River, along which the migration would have moved.

Unlike the northern women's reformatories, which placed upper limits on the age of women who might be committed to such institutions, the Tennessee penitentiary received commitments of any age. The ages of prisoners in the sample ranged from 13 through 80 years. The mode was 19 years, but half of

the sample were 23 or older at commitment. The age distribution is shown in Table 6:4:

TABLE 6:4

AGES OF SAMPLE OF WOMEN SENTENCED TO TENNESSEE STATE PENITENTIARY, 1840 THROUGH 1934

	<u>Number</u>	<u>Percent</u>
12-15 years	23	2.4
16-20	316	33.7
21-30	432	46.0
31-40	118	12.5
41-50	41	4.4
51-96	9	1.0
Totals	939	100.1*

*Off due to rounding error

Nearly 60 percent of them were single, another sign of social isolation. In their religious inclinations, too, they were relatively unaffiliated:

TABLE 6:5

RELIGION OF SAMPLE OF WOMEN SENTENCED TO TENNESSEE STATE PENITENTIARY, 1840 THROUGH 1934

	<u>Number</u>	<u>Percent</u>
Catholic	14	1.6
Protestant	385	43.8
None/Irreligious	479	54.5
Other	1	.1
Totals	879	100.0

A small fraction reported being Catholic (these were mainly white women), and nearly 45 percent reported a Protestant affiliation of some type; but, quite surprisingly, over 50 percent reported having no religious affiliation or being positively irreligious. (The proportion claiming no religious

affiliation was even higher for blacks than whites, being 57 percent and 43 percent, respectively.)

Lastly, examination of the previous occupations of these prisoners also indicates that they were, at best, socially marginal:

TABLE 6:6

OCCUPATION BY RACE OF SAMPLE OF WOMEN SENTENCED TO TENNESSEE STATE PENITENTIARY, 1840 THROUGH 1934, IN PERCENTAGES

	<u>Total Sample</u>	<u>Black</u>	<u>White</u>
Blue Collar	6.6 (60)	4.8 (35)	14.1 (25)
Entertainment	.3 (3)	0	1.7 (3)
Farm	1.5 (14)	1.6 (12)	1.1 (2)
Service	40.0 (363)	40.4 (295)	38.4 (68)
White Collar	.6 (5)	.3 (2)	1.7 (3)
None/Retired/No Info.*	51.0 (463)	52.9 (387)	42.9 (76)
Totals	100.0 (908)	100.0 (731)	99.9**(177)

*Cases for which occupational information was missing in the prisoner registries are included here on the inference that, if a clerk did not write in the space left for previous occupation, it was because the inmate had nothing to report.

**Off due to rounding error.

Most of those who had worked prior to incarceration had held low level service jobs. More specifically, if we look for particular occupational categories into which 2 percent or

more of the women fit, we find that these were Cook (14.0 percent), Houseworker (8.5 percent), and Nurse (3.3 percent), the last very probably being a non-professional category. But even more striking than the fact that so large a proportion of the sample reported having held low-level and poorly-paying jobs is the finding that more than half of these women had previously had no employment at all. If we were talking about a different population, this high level of nonemployment among women would not seem significant; in Tennessee in general in 1910, for example, only 22 percent of all females 10 years and older were gainfully employed.²⁰ However, the prisoner population, because many were migrants, single, and/or black, had a far greater need for employment than did the general female population.

Given their lack of ties and financial neediness, it is not surprising that such women turned to petty property crime. (The specific nature of their offenses will be examined in the next section.) It is also not surprising that sometimes they would band together to form partnerships or gangs for the purpose of committing crime. That women joined forces and planned ahead for the commission of crime flies in the face of some stereotyped notions of the nature of the female offender.²¹ Yet such groups did exist in Tennessee, as both the prisoner registries and the court of appeals cases held by the Tennessee State Archives make clear.

No concerted or systematic effort was made to identify cases in which women had worked with partners. However, when such cases were observed in passing, note was made of them, with the following results:

TABLE 6:7
CRIME PARTNERS OF WOMEN SENTENCED TO TENNESSEE STATE
PENITENTIARY, 1840 THROUGH 1934

	Number	Percent
No reference to partners noted	826	86.5
Female partners noted	107	11.2
Male partners noted	22	2.3

NOTE: Due to the fact that data were being collected on female prisoners only, it was more likely that female than male crime partners would be noted.

Given the unsystematic nature of the search, it seems significant that more than 11 percent were identified as having had female partners. Breaking this down further, we find that in 8 percent of the cases, only one female crime partner was noticed; in the other 3 percent, there were two or more female partners in addition to the principal of the case. (In contrast, of those who were noted to have acted in concert with a male, nearly all (2 percent) were observed to have acted with one male and the other, small fraction with two males. No mixed-sex groups were identified.)

From the court of appeals cases held by the Tennessee State Archives, we can get some idea of how the female crime groups operated. The case of Mattie Jamison, Cora Clayton,

Bettie McGayon and Hatte Allen vs. The State, which went to the Tennessee Supreme Court in 1905, tells the following story: A farmer named L. L. Wilson came to Nashville to buy whiskey and drink with "a Mr. Lee," after which he visited "the purlieus of Line Street" where he entered into a financial transaction with Hattie Allen "while the other girls surrounded him." While distracted by the women, he was relieved of his "pocket book, containing \$127.00" The lower court where the case originally went to trial had found that

it is manifest that the girl Hattie Allen was the one who actually took the money from the prosecutor L. L. Wilson, while, if the other girls are to be believed, he was endeavoring to have intercourse with her in the alley

However, this court had also found that these partners were working in collusion with Hattie. Irrespective of who actually lifted Mr. Wilson's wallet, we have an example of a loose-knit, perhaps spontaneously formed group of black women, at least one of them a prostitute, which came together for the purpose of stealing from a white male customer.

The records of Alice Simpson et. al vs. The State, also heard by the Supreme Court in 1905, tell a similar story. In this case one John West, "an elderly gentleman of an inquisitive turn of turn of mind," was enticed into the house of Alice Simpson, "a large colored woman," where with the help of Willie Thomas and Nettie Cato, she stole from him \$120 in cash and a

gold ring worth \$5. Alice Simpson was later caught at a saloon, where she was drinking "and treating her friends." She, however, claimed to have gotten no money from West "except fifty cents, which he gave her voluntarily for services performed in the room."²³ Also similar was a case from the late nineteenth century. In this one, a forty-five year old man named Frank Turner came to Nashville on December 8, 1895. While drinking in a restaurant, he picked up two black women, Fanny Weaks and Spot Scruggs, each of them twenty-two years old. When he was quite drunk (according to his own testimony), they suggested that they all go down an alley together, at which point they jumped him, robbing him of his wallet containing \$105. Weaks was sentenced to ten years for robbery, Scruggs to five.²⁴

These three examples enable us to form an idea of at least one type of female crime partnership. (It may have been the most common type, for the majority of crime partner data collected from the archival materials are examples of it. However, because data on crime partners was not collected systematically, and cannot be from court of appeals records, it is impossible to be sure that the type was in fact the most prevalent.) This type was composed of black prostitutes who would organize to steal from customers, older white men who came to town with full wallets to carouse. The women themselves had little to rely on but each other, for if they were typical of other women held at the penitentiary in Nashville, they were among the most disadvantaged members of their society.

Offenses, Sentences and Times Served

As shown in Table 6:8, the majority of women were sent to the penitentiary for property offenses, but more than 40 percent had been convicted of crimes of violence.

TABLE 6:8

CONVICTION OFFENSES BY RACE OF SAMPLE OF WOMEN SENTENCED TO TENNESSEE STATE PENITENTIARY, 1840 THROUGH 1934, IN PERCENTAGES

	Totals	Blacks	White
Violent Crime	41.4 (392)	43.8 (328)	32.5 (64)
Property Crime	53.8 (509)	53.5 (401)	54.8 (108)
Public Order Crime	1.8 (17)	.7 (5)	6.1 (12)
Other	3.0 (28)	2.0 (15)	6.6 (13)

A higher proportion of black women were convicted of crimes of violence, and public order offenders, though rare, tended to be white (perhaps because they were more likely to be viewed as worth saving from vice); but overall there was not a great deal of difference between the races in conviction offense patterns. There was apparently somewhat more fluctuation by time period of commitment in the types of offenses for which the Tennessee women were convicted, as shown in Table 6:9:

TABLE 6:9

CONVICTION OFFENSES BY PERIOD OF SAMPLE OF WOMEN SENTENCED TO TENNESSEE STATE PENITENTIARY, 1840 THROUGH 1934, IN PERCENTAGES

	Violent	Property	Public Order	Other
1831-1859	47.8 (11)	39.1 (9)	8.7 (2)	4.3 (1)
1860-1887	31.7 (13)	63.4 (26)	0	4.9 (2)
1888-1892	17.8 (13)	74.0 (54)	1.4 (1)	6.8 (5)
1893-1903	35.6 (93)	61.3 (160)	1.1 (3)	1.9 (5)
1904-1911	25.9 (14)	68.5 (37)	1.9 (1)	3.7 (2)
1912-1922	48.1 (115)	48.5 (116)	1.7 (4)	1.7 (4)
1926-1934	52.9 (139)	41.4 (109)	2.3 (6)	3.4 (9)

In instances where the number of cases is small, the fluctuations may be apparent rather than reflections of real differences in conviction offenses by period. On the other hand, the table does suggest that the proportion of women convicted of property offenses rose markedly after the Civil War, remaining high till the decade starting in 1912.

It is not clear why the proportion of those convicted of crimes of violence began to rise after 1912, returning to and even exceeding the pre-Civil War high point. But the marked increase in the proportion of property crime convictions just after the war does coincide with the change in the racial composition of the female prisoner population from white to black (see Table 6:2) and may be explained by it. Jesse Crowe quotes the penitentiary Directors as reporting, just after the Civil War, that "many criminals are sent here for offences ranging from eight cents . . . to all intermediate sums not reaching \$5," a phenomenon which Crowe links with the end of

slavery: just after the war, the penitentiary system developed the contract system of leasing its convict labor to contractors and it simultaneously began holding former slaves for extremely petty thefts. The prison system, in other words, seems to have in some ways become a substitute for the institution of slavery, functioning as a means of controlling blacks and insuring the availability of their free labor. We have already observed that women prisoners, like men, were worked on the railroads and in the mines in the post-war period. Later, when they were hired out to Nashville homes and establishments, they accumulated more than 1,000 working days a month and earned for the prison at least \$500 a year. When in the late 1890s the practice of hiring them out was prohibited and they were instead put to work in the hosiery mills, their labor continued to be lucrative: according to a report of 1900, these mills were producing 8,000 pairs of hose daily and earning for the penitentiary an income of about \$28,000 a year.

The black women who were thus incarcerated and worked in the post-war years seem in fact mainly to have been convicted of petty property crimes. A breakdown is not available of specific conviction offenses by period. However, we do have data on the specific conviction offenses for the sample as a whole. According to the latter, nearly 40 percent of the prisoners sampled had been convicted of three relatively minor forms of theft:

	<u>Number</u>	<u>Percent</u>
Larceny	200	20.7
Petit Larceny	156	16.2
Housebreaking and Larceny	<u>23</u>	<u>2.4</u>
Totals	379	39.3

Moreover, we recall that large proportions of the prisoners in the 1860-1911 periods had been convicted of property crime. It does seem plausible, then, to hypothesize a connection between the change in the racial composition of the female prison population in the post-war period and the change in the kinds of crime for which women were incarcerated. This hypothesis fits with the demographic information presented earlier which suggested that the female prisoners were socially isolated and financially needy--in other words, women with few disincentives to commit minor thefts.

Until 1913, when the state's first parole and indeterminate sentence law went into effect, women sentenced to the Tennessee State Penitentiary received "flat" sentences of fixed numbers of years. This did not mean that prisoners served their entire sentences, however, for Tennessee developed a system of commutation very early, pioneering in this area of "good time" before the first females arrived at the penitentiary.²⁷ As Table 6:10 shows, 9 percent of the sample were released early because they earned good time credits; another 7 percent could have been released earlier but were punished for bad behavior by having good time credits denied partially or totally.

TABLE 6:10

METHOD OF RELEASE OF SAMPLE OF WOMEN SENTENCED TO TENNESSEE STATE PENITENTIARY, 1840 THROUGH 1934

Method of Release	Number	Percent
Conditional pardon	15	1.6
Died	36	3.7
Escape	23	2.4
Expiration of sentence with Good Time credits	88	9.1
Expiration of sentence with Good Time credits denied	68	7.0
Pardon	142	14.7
Parole	234	24.2
Special commutation by governor	41	4.2
Other	29	2.9
No information	289	29.9
Totals	965	99.7*

*Off due to rounding error.

Yet another common means of release, especially in the years before indeterminate sentencing, was pardon by the governor, a method by which nearly 15 percent of the sample gained release.

A final question: How much time was actually served by women sentenced to the Tennessee State Penitentiary? The average for all prisoners in the sample on whom such information is available (N=596) is 40.9 months, or about three-and-a-half years. This average conceals variations over time, which are shown in Table 6:11. If time-served always reflected the seriousness of the conviction offense, then we would expect time-served to be longest in the antebellum period and again after 1912, when the proportions of women convicted of violent crimes were highest. But this was not what in fact happened:

TABLE 6:11

AVERAGE TIME SERVED BY PERIOD FOR SAMPLE OF WOMEN SENTENCED TO TENNESSEE STATE PENITENTIARY 1840 THROUGH 1934

	Mean in Months	(Number of cases)
1840-1859	33.3	(20)
1860-1887	33.0	(20)
1888-1892	56.2	(13)
1893-1903	52.9	(97)
1904-1911	43.5	(24)
1912-1922	41.7	(189)
1926-1934	35.4	(233)

Time-served was actually shortest in the periods in which the greatest proportions were serving time for crimes of violence and longest around the turn of the century, when the proportion of property offenses was highest. (This finding tends to confirm the thesis that just after the Civil War, the prison system functioned as a kind of substitute for the institution of slavery, funneling blacks into forced labor.) If we ignore for a moment those periods for which we have under 75 cases, we can, moreover, observe a steady decline in time-served in Tennessee: it went from 53 months on the average in the period 1893-1903 down to 42 months during 1912-1922 and fell again to 35 months for the period 1926-1934. This finding, too, suggests that time-served correlates but poorly with seriousness of conviction offense.

In Tennessee, the process by which a separate women's prison was established was one of slow mitosis. Gradually the women were isolated; as their numbers grew, they were increasingly split off from the main population of men. Yet, in contrast to the north, where the establishment of separate penal institutions for women was usually accompanied by an improvement in their care, the separation process in Tennessee was marked by a steady decline in the quality of treatment: whereas in antebellum years female prisoners were treated very much like males, when they became more isolated later in the century they were also cut off from important facilities and personnel. Nor did this situation improve with the erection of the Women's Prison in 1930: there they were held in cramped, high security quarters and, perhaps because they were now out of sight, all but put out of mind as well by the rest of the state's penal system. These years during which the care of women prisoners was so very poor began with an influx of black women just after the Civil War. Uprooted, lacking ties and opportunities, these women seem almost perforce to have turned to petty property crimes such as stealing from white farmers who came to them for illicit sex. The period of inferior care for women ended in 1965, with the creation of a new and entirely independent prison for women. Interestingly enough, this was also the point at which racial segregation ended. With independence and integration came, for the first time, care superior to that of the men.

Notes

¹ The paragraph is based on information in the penitentiary's early biennial reports, E. Bruce Thompson, "Reforms in the Penal System of Tennessee, 1820-1850," Tennessee Historical Quarterly I (4) (December 1942):291-308, and Jesse Crawford Crowe, "The Origin and Development of Tennessee's Prison Problem, 1831-1871," Tennessee Historical Quarterly XV (2):(June 1956):111-135.

² TSP, BR 1860:232.

³ Nancy Ann Smith is Case No. 454 in Tennessee State Archives, Record Group 25, Series 12, v. 86, Convict Record Book 1831-1874. She is described as a woman of "color"; what this means is unclear for distinctions were at times made between the meaning of "negro," "colored," and "slave," and apparently different clerks used these terms in different ways.

⁴ Messages of Governor James K. Polk, Tennessee General Assembly, House Journal, 24th Assembly, 1st sess., 1841-1842: 23, as quoted in Crowe, "Origin and Development of Tennessee's Prison Problem":117.

⁵ Tennessee, Acts of the General Assembly 1843-1844, Resolution No. XVI; Tennessee State Archives, Record Group 25, Series 12, v. 86, Convict Record Book 1831-1874, Case No. 2229.

6
Tennessee State Archives, Record Group 25, Series 12,
v. 86, Convict Record Book 1831-1874, Case No. 886; Tennessee
Acts and Resolutions of the General Assembly 1851-1852,
February 2, 1852 (that an exception was made in Clarissa's
case was perhaps connected with her offense: murder in the
first degree). Tennessee General Assembly, The Code of Ten-
nessee Enacted by the General Assembly of 1857-1858 (Nashville:
E. G. Eastman and Company, 1858) indicates that slaves could
be dealt with by the criminal justice system under special
circumstances.

7
Tennessee State Archives, Record Group 25, Series 12,
v. 86, Convict Record Book 1831-1874.

8
Tennessee State Archives, Record Group 25, Series 4,
v. 31, Board of Inspectors of the Tennessee Penitentiary,
1877-1892:14; TSP, BR 1882:7.

9
TSP, BR 1882:9.

10
TSP, BR 1890:116-117 /escapes, 5 /warden's wish; Pete
Daniel, "The Tennessee Convict War," Tennessee Historical
Quarterly XXXIV (3) (Fall 1975):273-292, esp. 286-288.

11
Tennessee, Acts and Resolutions 1897, Ch. 125, sec.
28; TSP, BR 1894:15. For more on hiring out, see Tennessee,
Report of the Joint Penitentiary Investigating Committee to
the Fiftieth General Assembly of Tennessee, March 24, 1897,

in Appendix to the House Journal 1897:886-887 (hereafter
cited as Tennessee, Report 3-24-1897).

12
Tennessee, Acts and Resolutions of the General
Assembly 1893, Ch. 78, sec. 3, Acts and Resolutions 1897,
Ch. 125, sec. 3. There seems to have been a good deal of
moving back and forth between the old and new penitentiary
at least until 1901, and to judge from the convict record
books, some women were returned to the old prison because
they proved adept at escaping from their new quarters.

13
TSP, BR 1898:724, BR 1908:29, 18.

14
TSP, BR 1898:1075 ("No male employee or convict shall
have any position in the female prison when a Matron is in
charge of the same"). The other quoted material in this
paragraph appears on the same page. For indications of the
matron's status, see, for example, this same report, pp.
1068-1071.

15
TSP, BR 1900:11. The Lakeshore Hosiery Company of
Laconia, New Hampshire is named in Tennessee, Report 3-24-1897:
890.

16
Tennessee Department of Institutions, BR 1930:383.

17
Tennessee Department of Institutions and Public Welfare,
Advisory Committee on Correctional Institutions for Adults,
Report on Correctional Institutions for Adults (n.p.:n.d.
/1938?/:62, 63, 62.

18 Ibid.:62-64 /basis for recommendation/; Tennessee Department of Correction, Report on the operations of the Department of Correction, State of Tennessee, during the period from January 1953 to the present time (Nashville, 1960 /unpaginated typescript held by Tennessee State Library/ and AR 1957:16 /recommendation repeated/.

19 Tennessee, Public Acts of 1965, Ch. 178, secs. 1, 3. The Tennessee Department of Correction, AR 1977:40, gives some statistical information on women prisoners; the data on conviction offenses are repeated here so that they can be compared with the similar data on earlier prisoners which is presented later in this chapter:

CONVICTION OFFENSES OF TOTAL NUMBER OF RESIDENTS SERVED BY TENNESSEE WOMEN'S PRISON DURING FY 1976-1977, EXCLUDING THOSE TRANSFERRED OUT

	Number	Percent
Homicide	52	16.4
Robbery	33	10.4
Drug	44	13.9
Property	168	53.0
Sex	1	.3
Other	19	6.0
Totals	317	100.0

NOTE: The categories of crime are those given in the Department of Correction report.

20 U.S. Department of Commerce, Bureau of the Census, Thirteenth Census of the United States Taken in the Year 1910. Vol. IV. Population 1910. Occupation Statistics (Washington: Government Printing Office, 1914):37.

21 See, for example, Caesar Lombroso and William Ferrero, The Female Offender (New York: Philosophical Library, 1958) and Otto Pollak, The Criminality of Women (New York: A. S. Barnes, A Perpetua Book, 1961).

22 /Tennessee State Archives/ Tennessee Supreme Court, Mattie Jamison, Cora Clayton, Bettie McGavon and Hattie Allen vs. The State, No. 26 Davidson Criminal, Davidson County, February 14, 1905.

23 /Tennessee State Archives/ Tennessee Supreme Court, Alice Simpson et al. vs. The State, No. 28 Davidson Criminal, February 14, 1905.

24 /Tennessee State Archives/ Fanny Weaks v. State of Tennessee, Supreme Court, Montgomery County, February 23, 1895.

25 As the text focuses on types of property crime committed by women in the sample, it may be useful to provide here some data on the crimes of violence. The entire list of specific offenses for which the Tennessee female prisoners were convicted was examined to pinpoint offense categories into which 2 percent or more of the cases fell. Five of these proved to be crimes of violence:

	Number	Percent
Arson	19	2.0
Involuntary Manslaughter	45	4.7
Murder (unmodified)	57	5.9
Murder 2d degree	54	5.6
Voluntary Manslaughter	94	9.7
Totals	269	27.9

26
Crowe, "The Origin and Development of Tennessee's
Prison Problem":124; Tennessee State Archives, Record Group
25, Series 3, v. 28, Maintenance of Convicts, Steward's
reports 1896-1897:69, 133, 136 /ⁿ"females working out" average
1,022 work days a month in 1897; worked a total of 12,944
days in 1896/; Tennessee, Report 3-24-1897:927 /ⁿearnings of
female convicts at Main Prison in 1896 were \$517.32/; TSP,
BR 1900: 11, 18.

27
Tennessee Board of Control, BR 1918:43 /ⁿFirst parole
and indeterminate sentencing law went into effect 2-21-1913/;
Orlando F. Lewis, The Development of American Prisons and
Prison Customs, 1770-1845. (Montclair, N.J.:Patterson Smith,
1967):268 /ⁿdevelopment of commutation by good time/.

CHAPTER 7

THE NEW YORK STATE PRISON FOR WOMEN
AT AUBURN, 1893-1933

When women's prisons are noted at all in the historical literature on
incarceration, those which receive attention are usually reformatories.
Little consideration has been given to women's prisons of the custodial type--
institutions which, in their design and population, resembled the typical
prison for men more than reformatories for other women. This chapter covers
the history of one of these custodial institutions, the State Prison for Women
maintained at Auburn, New York, from 1893 to 1933. Like other states, New
York had female felons to deal with in the late nineteenth century. But
whereas other northeastern states held such women in special units of their
central state prisons for men, New York created a separate institution for
them.

Between 1877, when the old prison for women at Sing Sing was closed, and
the late 1880s, New York had no state prison for females. After 1877, women
who would previously have been sent to Sing Sing were assigned to county peni-
tentiaries. This sentencing practice, however, eventually became burdensome
to those New York City-area penitentiaries to which such women were most often
sent, for although the prisoners' keep was paid by the state, their numbers
became relatively large. The build-up in the female penitentiary populations
was the main reason why New York decided in 1893 to establish a separate
prison for serious female offenders. (At about the same time it also estab-
lished three reformatories. But, as Chapters 2 and 8 explain in more detail,
the rationales behind the founding of the reformatories were quite different.)

The Auburn prison was designated for older and second-term felons--women considered too far sunk in criminality to respond to reformatory influences.¹

Physical Plant

Like other custodially-oriented prisons for women, the State Prison for Women at Auburn was established with a minimum of expenditure. In contrast to the three reformatories, which were built from the ground up at considerable expense, the State Prison was located in an abandoned institution, the former Asylum for Insane (male) Criminals. This former asylum was part of the Auburn prison for men, the oldest maximum security prison in the country and an institution with a reputation for harshness.² However, the several acres of the asylum were separated from the regular men's section "by a high, thick wall, with only a wicket for passage between the two." The asylum had recently been emptied by removal of its insane criminals to a new asylum at Matteawan, New York; its building was in good repair and "should be used by the State for some purpose," the State Superintendent of Prisons urged in 1892, "before damage and deterioration shall result from . . . non-occupancy."³

These quarters were typical of custodial women's prisons not only in their low cost to the state but also in their proximity to a men's prison: whereas reformatories for women were usually totally independent institutions located on tracts of their own, custodial-type prisons were associated with a men's institution either through being physically attached (as at Auburn) or, if a separate unit, within the same perimeter wall.

In its physical plant, the Auburn prison was not as open as a reformatory but not as closed as the usual prison for men. The contrast with the reformatory-style women's prison was most marked: instead of cottages and open

spaces, the State Prison for Women at Auburn had rows of cells and almost no additional space for work, education, or recreation. And yet its quarters were not so secure or physically oppressive as those in the adjacent men's prison. The women's cells opened off corridors rather than being stacked in tiers; they had windows (albeit windows with bars); and there was generally less in the way of locks, concrete, and guards than would ordinarily have been found in prisons for men.

Within the women's prison were six "wards," each consisting of a corridor and the rooms which opened off it. These rooms received a good deal of praise in official prison reports, being described as "light, airy and comfortable"--which indeed they were in comparison to the cramped and unventilated cells of the adjacent men's prison. But other than spaciousness, the plant of the women's prison had few virtues. Inspectors through the years called for overhaul of the heating system, which ceased to function in the further reaches of the building and in some winters stopped working entirely; the water and lighting systems also came in for criticisms. Madeline Doty, a prison commissioner who in 1916 posed as an inmate and spent several days incarcerated at Auburn, described air befouled by slop jars, scant supplies of washing water, and even scant provision of water for drinking.⁴ Doty's description provides a glimpse of the prison's interior:

I was quickly transferred to a ward in another part of the building. This ward, like the first, had a very broad corridor resembling a large assembly-hall, off which on each hand opened the cells. At each end and in the middle of this big thoroughfare were great windows which, though painted, let in through the upper half a flood of light. In the middle of the hallway, in the recess made by a big baywindow, were two long, wooden tables. This space served as a

dining-room for the twenty-seven women in the ward. Down past the rows of cells I was led. At the extreme end of the ward, leading off on the right and left, were two blind alleys. Down the one to the left we turned. Five cells opened on this narrow hallway, and into one of them I was thrust.⁵

Although the State Prison for Women used these quarters for forty years, the plant described by Doty remained much as it had been in the days it held the insane--a sign, perhaps, that authorities regarded female convicts as closer to the demented than to normal males in their need for discipline, work, and recreation.

When in the late 1920s a new structure was erected on the grounds of the women's prison, it was a shop building intended for men and built in anticipation of the day when the women's prison would be moved to another location.⁶ (No educational or vocational building was erected for women prisoners at Auburn.) Meanwhile, the building in which the female inmates resided was allowed to deteriorate, for it would be replaced before male prisoners inhabited that spot. Thus while the women's area was slightly more relaxed in terms of security, it was certainly not more comfortable physically, and it offered fewer advantages to the women than were available to men on the other side of the dividing wall.

Administration

The legislation which established the New York State Prison for Women at Auburn provided for a matron and female assistants, but it fixed them in subordinate positions, specifying that "For the purposes of the government and management . . . , such State Prison for Women shall be deemed a department of the Auburn prison."⁷ Assisting the male warden in the task of operating the

women's prison were the (male) physician, clerk, and chaplain of the men's prison. The warden, rather than the head matron, had the power to appoint the assistant matrons. Thus authority was firmly in the hands of men, with women officers being assigned to routine tasks.

Salaries for these female officers were too low to attract well educated women who might be interested in careers in prison administration: the matron's salary was fixed at \$1,200 per year, those of her assistants at \$300 or less. (Guards at the adjacent men's prison, male counterparts to the assistant matrons, received \$600 annually. As the State Commissioners of Prisons complained in 1902, the salaries of the assistant matrons were "entirely inadequate.")⁸ Female officers were provided with living quarters in a house close by the women's prison, but this situation, too, was hardly calculated to attract energetic, independent professionals.

For the first twenty years the matron of Auburn was a Mrs. Annie M. Welshe ("a dignified woman, mature in years," as the New York Times described her in 1895).⁹ Welshe kept the prison scrupulously clean, maintained strict discipline, but did little else. She was succeeded by two other matrons, but in 1923 the matron's position was allowed to go unfilled, the physician of the men's prison thenceforth acting as "Superintendent in Charge" of the prison for women. By 1927, the staff of the State Prison for Women had dwindled to the point that it had only one reporting official, the teacher, who was not primarily an employee of the men's prison. These indications that female personnel were considered expendable were also signs that the State Prison for Women, in contrast to most female reformatories of its time, aimed no higher than to fulfill a caretaking function. It would feed and clothe its inmates, and ensure that they did not escape, but there its aspirations ended.

Commitment Laws and Practices

The law which governed commitment to the State Prison for Women at Auburn made it clear that this prison was intended to isolate women who were themselves beyond reform and who might impede efforts to reform others. New York's Penal Code provided that "Any women over the age of sixteen who shall be convicted of felony in any court shall, when sentence imposed is one year or more be sentenced to imprisonment in the State Prison for Women at Auburn."¹⁰ This clause, in combination with the reformatory commitment laws, ensured that Auburn inmates would be felons and either over thirty years of age, or, if under age thirty, likely to have a previous felony conviction. During the first years of the prison's existence, Auburn inmates received the determinate sentences associated with prisons for adult males--sentences which (in contrast to those of women's reformatories) were designed to punish, not treat, and which carried few overtones of rehabilitative intention. Later, as indeterminate sentences became nearly universal, women at Auburn also received such sentences. However, the minimum and maximum were determined by offense and not, as at reformatories, by the condition of being in need of cure of criminality. Auburn sentences, in short, were more overtly punitive.

The population of the women's prison at Auburn, in contrast to that of the reformatories established at roughly the same time, remained small, fluctuating between about 75 and 125 inmates and usually hovering around 100. The small population was in part a function of the generally low rates of serious crime by women. But--as we shall see in a moment--it seems also to have been an effect of judicial reluctance to commit women to Auburn, an institution internationally famous as the prototypical hard labor, maximum security prison.

There are several indications that judicial reluctance was a factor in keeping the prison's population low. In the early years of the State Prison for Women, judges took advantage of a law giving them discretion to send felons with terms under five years to local penitentiaries instead of to prison. Many exercised this discretion when they sentenced women, thus causing a good deal of bitterness among the State Commissioners of Prisons, who worried about underutilization of the newly-established women's prison, with its capacity for 250 inmates. In 1901, the Commissioners had the Penal Code amended to force judges to send nearly all female felons with sentences of a year or more to Auburn, even though this might mean separating them by long distances from families and friends. "If their friends were acquainted with the prison for women at Auburn," the commissioners explained, "they would ask as a favor that the unfortunates be sent there."¹¹

Thus there was from the start a struggle between the state prison authorities (such as the Commissioners) with their desire to see their prison full, and judges, who apparently felt Auburn was an unsuitable place of commitment for all but the most hardened women. This struggle continued, but after the opening in 1901 of the reformatory at Bedford (which could receive some felons as well as misdemeanants), judges began committing women to Bedford in preference to either the penitentiaries or Auburn. Now state authorities blamed Bedford rather than the penitentiaries for siphoning off women who might have been sent to Auburn. "For some reason," the Superintendent of State Prisons observed irately in 1903,

many women convicted in this State who might be sent to the State Prison for Women at Auburn, are sent to other institutions. This is very greatly to be regretted. In its equipment and its resources for dealing with women under sentence it is not equalled by any other institution in the State.¹²

And, he tellingly added, the Auburn prison "can comfortably accommodate three times as many as are now confined there."¹³ Despite its capaciousness, the State Prison for Women frequently found its population sinking below 100. Prison officials had good reason to suspect that judges committed women to Auburn with less enthusiasm than to reformatories.

Offenses

The State Prison for Women at Auburn opened when nearly one hundred women were transferred there from local penitentiaries in May of 1893, and it continued to receive women until it was abolished in 1933. The material which follows builds toward a composite portrait of the inmates' offenses and other characteristics on the basis of data collected from the original prisoner registries and related documents. (Sampling procedures and offense categorizations are explained in Appendices E and F.)

As Table 7:1 indicates, the majority of Auburn's women prisoners were sentenced for property crimes; additionally, a high proportion were convicted of crimes of violence.

TABLE 7:1

AUBURN STATE PRISON FOR WOMEN, CONVICTION OFFENSES,
1893 THROUGH 1933

<u>Crime Category</u>	<u>Number of cases</u>	<u>Percent</u>
Violent	242	36.2
Property	358	53.5
Public Order	57	8.5
Other	10	1.5
Missing Information	2	.3
Totals	669	100.0

Using details given in the prisoner registries and other documents, it is possible to get a fairly detailed picture of the crimes for which these women were convicted. Looking first at property crime, we find that more than 40 percent of the Auburn prisoners were convicted of some form of grand larceny (Table 7:2).

TABLE 7:2

AUBURN STATE PRISON FOR WOMEN, TYPES OF PROPERTY CRIME OF WHICH
INMATES WERE CONVICTED, 1893 THROUGH 1933

<u>Crime Category</u>	<u>Number of cases</u>	<u>Percent of all cases</u>
Property Crimes		
Grand larceny	278	41.6
Burglary	34	5.1
Receiving stolen property	22	3.3
Forgery	19	2.8
Other property crimes	5	.7
Subtotals	358	53.5
Non-property Crimes	309	46.2
Missing Information	2	.3
Totals	669	100.0

NOTE: Offense categories include all degrees and attempts.

One volume of the prison's remaining records has details on particular offenses, details which give us an idea of specific behaviors which led to each charge. Using a list of all property crimes of which prisoners numbered from 1567 through 1601 were convicted (a sequence chosen at random), we find that the grand larceny cases involved a considerable range of behaviors, from picking pockets to "taking \$25,000 from Firm Where employed." The one burglary case on this list had "Burglarized refreshment stand." All of the forgery cases had been involved in writing bad checks and there was, in addition, a case of extortion in which the woman was described as "Aiding husband

in Extortion." It should be noted that these descriptions of the actual offense behaviors indicate that some of the women had plea-bargained. For example, the case of the prisoner who had taken \$25,000 from her employer's firm and another of picking pockets were both convicted of grand larceny in the second degree.¹⁴

Looking next at the violent crimes for which women were sent to Auburn, we find that manslaughter was the leading conviction offense, as shown in Table 7:3.

TABLE 7:3

AUBURN STATE PRISON FOR WOMEN, TYPES OF VIOLENT CRIME OF WHICH INMATES WERE CONVICTED, 1893 THROUGH 1933

<u>Crime Category</u>	<u>Number of cases</u>	<u>Percent of all cases</u>
Violent Crimes		
Manslaughter	75	11.2
Assault	53	7.9
Robbery	52	7.8
Murder	26	3.9
Arson	23	3.4
Other	13	1.9
Subtotals	242	36.1
Non-violent Crimes	425	63.5
Missing Information	2	.3
Totals	669	99.9*

* Does not add to 100.0 percent due to rounding error.

NOTE: Offense categories include all degrees and attempts.

As in the case of property offenses, we can get an idea of the nature of the violent crimes from some of the prisoner records. Drawing again on the list of offenses of prisoners numbered 1567 through 1601, in this case for descriptions of robberies, we find, among the least serious cases, a robbery, second degree, conviction for "Taking \$65 from man" and three robbery, second degree,

convictions for "Assisting in robberies without a weapon," "Holdup--Man--Taking \$6.00--Watch," and "Holdup--Diamond Ring and \$22.00 from Man." More serious were the cases of three young black women convicted of robbery, first degree; their offense behavior was "Robbing Man of \$300.00."¹⁵

From the volume which gives offense descriptions, a separate sample was drawn of 149 homicide cases, of which we could determine the age and sex of the victim in 143 instances.¹⁶ One of the questions which interested us was whether these cases would conform to the stereotype of the female-who-kills as a woman striking out at a husband or lover. While we were not able to determine the relationship between the woman and her victim in all cases, we did find that 68 percent of the 149 women had killed adult males, very often someone identified as a "husband" or "sweetheart." But in the other 32 percent of the cases, the offender had killed children or other women. We were also interested in the means by which these women killed and found that they used not only the knife with which the female homicide offender is often associated but also strangulation (in one case, of two men), bludgeoning, burning alive in an oven, and presenting a husband with poisoned candy. Some of these cases, clearly, did not conform to the stereotype of female murderers as women who kill impulsively during domestic quarrels.¹⁷

Looking next at Auburn public order offense convictions (Table 1), we find that the crimes of all but 2 of the 57 cases in this category involved sex or children: bigamy (18 cases or 2.7 percent of the total sample), abduction (17 cases or 2.5 percent), and other crime categories into which fell fewer cases, such as abortion, sodomy, and compulsory prostitution of women. The two exceptions to the sex-or-child-related rule were convicted of a drug offense and vagrancy, respectively. (The latter apparently was an illegal commitment since the prison was supposed to hold only felons.) Most note-

worthy is the fact that these public order offenders were relatively few in number, comprising less than 10 percent of the sample of the institution's population over time. In this respect, Auburn contrasted markedly with the New York reformatories operated during the same period.

Like some of our information on homicide cases, other Auburn offense data also occasionally challenge traditional concepts of the female offender. First, the 10 cases convicted of crimes other than violent, property, or public order offenses (Table 1), although they made up only 1.5 percent of the total sample, had been found guilty of aiding escape, bribery, criminal anarchy, false pretenses, and perjury--crimes not always associated with women. Second, a non-systematic effort to identify crime partners led to the finding that at least 25 cases (3.7 percent of the total 669 cases) had committed their crimes in concert with one or more women.¹⁸ This figure probably considerably underestimates the true number of those who had crime partners, but in any case it suggests that at least some of the Auburn women planned ahead in the commission of their crimes and without the male associate who, according to conventional wisdom, leads the female offender astray.

Nearly all of the Auburn women, then, had been convicted of serious crimes, offenses for which men, too, were sent to state prisons. To a large extent, their offenses were those we would expect to find in a population of female felons--homicides involving male victims and serious property crimes such as grand larceny and burglary. These offenses in themselves challenge the picture commonly given in the criminological literature of the period of the female as a relatively non-serious and passive offender. To their evidence we can add information--not extensive but noteworthy--which indicates that the Auburn homicide offenders killed not only male intimates but also children and other women; that a few had been convicted of other "unwomanly"

offenses like aiding escape and criminal anarchy; and that some had formed crime partnerships with other women.

Sentences

When we turn to look at the type and length of sentences served by these offenders we find, first, that 53 percent of them served determinate sentences (i.e., those with no minimum), a reflection of the fact that the majority of prisoners in the sample were sentenced before indeterminate sentencing and its concomitant, parole, became common for felons in New York. The relative seriousness of the offenses is reflected in the length of their terms: 64 percent of our 669 cases had sentences with maximums of three years or longer and nearly 40 percent had sentences with maximums of five years or more.

These relatively high maximum terms, however, should not be taken to mean that Auburn prisoners actually served sentences of such lengths. Some women (37 percent of the total sample) were released early on parole, and even many of those with determinate sentences were released early through "commutation," i.e., time off for good behavior (41 percent of the total sample). The average time served for all women in the sample for whom such information is available (484 cases out of the total sample of 669) was, in fact, 39.63 months. Moreover, this overall average masks the fact that as time went on, the average time served decreased; not only were earlier sentences longer, but the first prisoners sent to Auburn were atypical in that they included a disproportionate number of women serving life sentences. (In the period before parole, a life sentence could mean many years indeed. Auburn case No. 60, for example, one of the women transferred in 1893 to the new State Prison from a county penitentiary, had originally been sentenced to the old women's prison at Sing Sing--in 1865, at the age of sixteen; when she arrived at

Auburn, she had already served twenty-eight years, years included in our average of years served. Similarly, case No. 65 had served seventeen years, beginning at the old Sing Sing women's prison, before she was transferred in 1893 to Auburn.) The steady decrease in average time served by Auburn women prisoners is shown in Table 7:4.

TABLE 7:4

AUBURN STATE PRISON FOR WOMEN, AVERAGE TIME SERVED BY PERIOD, 1888 THROUGH 1933

<u>Period during which case was committed</u>	<u>Average time served (months)</u>	<u>Number of cases</u>
1888-1892	54.44	45
1893-1903	37.46	225
1912-1922	36.20	156
1926-1933	31.11	53
		<u>479</u>

NOTE: Cases committed before 1893 were first sentenced to another prison or a penitentiary and then transferred to Auburn when it opened. Cases committed before 1888 are omitted from the table because their few numbers and lengthy times served are distortional. Lifers are also overrepresented in the cases received 1888-1892, which partially explains the long average time served for this period.

Inmate Characteristics

Aggregating the demographic data collected on all cases in the sample, we can piece together a picture of the typical inmate. The median age was 30 years at reception, although as Table 7:5 indicates, there was in fact a considerable range in the age of new commitments.

TABLE 7:5

AUBURN STATE PRISON FOR WOMEN, AGE AT COMMITMENT, 1893-1933

<u>Age Group</u>	<u>Number of Cases</u>	<u>Percent of Cases</u>
16-20	57	8.5
21-30	298	44.5
31-40	192	28.7
41-50	83	12.4
51-96	35	5.2
Age unknown	4	.6
Totals	<u>669</u>	<u>99.9*</u>

*Does not add to 100.0 percent due to rounding error.

Racially, the majority of Auburn prisoners were white (70.2 percent), but blacks were also well represented (29.4 percent of the total over time). In terms of birthplace, it might be expected that most Auburn prisoners had been born in New York. This, however, was not the case, as Table 7:6 shows.

TABLE 7:6

AUBURN STATE PRISON FOR WOMEN, PRISONERS' PLACE OF BIRTH 1893 THROUGH 1933

<u>Place of birth</u>	<u>Number of cases</u>	<u>Percent of cases</u>
New York State	193	28.8
Northeastern U.S., excl. N.Y.	69	10.3
Southern U.S.	132	19.7
Other, U.S.	30	4.5
Europe	205	30.6
Other or unknown	40	6.0
Totals	<u>669</u>	<u>99.9*</u>

* Does not add to 100.0 percent due to rounding error.

Less than 30 percent of Auburn's female prisoners had been born in New York State; many (nearly 20 percent) were women who had migrated from the South.

Of the birth areas listed in Table 7:6, that best represented among the Auburn prisoners was Europe, within which category Germany and Ireland were named with greatest frequency.

The typical Auburn inmate was a Protestant (55 percent), though Catholics were also common (40 percent). In view of their relatively advanced age at time of commitment, it is not surprising that the majority of these prisoners reported having been married at some point (60 percent). Nearly all (99 percent) reported having worked before commitment, the great majority (79 percent) in service occupations, mainly as domestics.

In sum, a typical inmate of the State Prison for Women was about 30 years old at commitment, Protestant, low in socio-economic status, and convicted of a relatively serious crime for which a man might also be sentenced to a state prison. A sizeable proportion of the inmates, perhaps nearly one-half, were "outsiders" in that they were either foreign-born or blacks who had migrated northward. These women bore little resemblance to the "soft" female offender who dominated much of the criminological literature of the period during which the Auburn women's prison was in operation. As noted earlier, judges apparently avoided sending women to Auburn. When they did sentence women to it, they may have used as the selection criterion the notion that Auburn was the proper place for women who seemed to be hardened, fit candidates for the "masculine" institution Auburn had always been and clearly unfit candidates (because of their age, race, nationality, or offense) for the feminized, rehabilitatively oriented reformatories. Auburn prisoners, in other words, were probably women who seemed incapable of conformity to middle-class standards of womanliness.

Program

At the State Prison for Women, the main industry for the forty years of the institution's existence was the sewing of bedding. Mattresses, pillows, and hemmed blankets were the chief products, this work occupying roughly half the population at any one time. The other half was kept busy with institutional maintenance: cooking, cleaning, domestic service for the matron, washing laundry not only for the women's prison but also for the warden and hospital of the men's prison, mending, nursing and gardening. To work in the gardens which surrounded the women's prison was probably the activity prized most highly by the inmates as it gave them a chance to be active and out-of-doors. Large quantities of vegetables, particularly cabbages and turnips, were harvested each year. Probably the least popular assignment was to work at the handlooms, obsolete machines noted for their "racket and discomfort" to the inmates working along side of them. On these looms inmates produced immense lengths of towelling--6,000 yards in 1900, for example.¹⁹

Whereas reformatories insisted that profit to the inmates, not the institution, should be the first consideration in the planning of work programs for prisoners, Auburn and other custodial prisons for women usually looked for a way to keep inmates busy at the least possible expense. Some also maintained the ancient tradition of men's prisons of expecting inmate industries to produce a profit. The State Prison for Women was among these, usually turning a small profit through sale of inmate products. For a while, this prison adhered to yet another men's prison tradition by paying its women workers, albeit poorly at a rate of one-and-a-half cents a day.²⁰

Like other custodial prisons, Auburn spent little on teaching staff, and in scheduling it gave industrial work precedence over classroom activities. For its first fifteen years, the school at Auburn operated only in the even-

ings. It was taught not by a hired teacher but rather by educated inmates supervised by the head teacher of the men's prison. A paid woman teacher joined the staff early in the twentieth century. She instituted a typing program (even though there was only one typewriter), and from then on the school played an increasingly important role in the life of inmates. But it never assumed the dominant role in the institutional program taken by education in women's reformatories.

Discipline

The State Prison for Women dealt with disciplinary problems in the relatively straight-forward, rule-dominated manner of large men's prisons. Little interest was shown in the reformatory ideal of giving inmates opportunities to develop their sense of responsibility; rather, the emphasis was on obedience and conformity. This emphasis was congruent with traditions of the Auburn men's prison, which had a long and sometimes infamous history of harsh discipline. Soon after the women's section was established, a New York Times feature story on both it and the adjacent men's prison described the complex as "old school" in its regulation of prisoners, with "iron-clad rules of discipline." Warden James C. Stout, who supervised both, was characterized as a no-frills, no-nonsense keeper. Furthermore, the Times went on, the "silent" system which forbade prisoner communication was, in 1895, still enforced in the shops and mess hall of the men's prison. It seems also to have been enforced in the women's prison and to have endured there even longer, for nearly twenty years after the New York Times report we learn from Madeline Doty, the prison commissioner who posed as an inmate, that silence was maintained at all times except during a daily ten-minute talking period. According to Doty, the penalty for whispering was three days in solitary

confinement, loss of good time, and a fine of fifty cents daily; silence was enforced even in the industrial areas ("There were fifty of us in the work-room, with three matrons keeping guard. They sat at high desks, glaring . . .").²¹

The prison for women at Auburn, like penal institutions the world over, made use of both positive and negative rewards to maintain discipline. Positive rewards consisted of promotion to better "grades" where one might wear solid-colored rather than striped dresses and enjoy such privileges as decorating one's room with a rug and white bedspread. From time to time at Auburn, systems of badges were instituted; for example, in 1903 the matron founded a Society of the Red Badge of Courage, awarded red badges in return for strict obedience, and convened a meeting of the Society once a month. Negative consequences at Auburn included being assigned to "cold, damp cells in the basement," solitary confinement in the institution's jail, loss of good time, and fines. (Doty pointed out that although inmates were paid for their labor, "as a fine of fifty cents a day for each day of punishment is imposed, it is seldom a prisoner has any funds on release, even after a long term.") Such punishments were the consequences of insolence, rule-breaking, and emotional outbursts. That the authorities at the State Prison for Women also worried about homosexuality is indicated by Doty's observation that "one of the many unwritten prison rules . . . is that any form of greeting between inmates is considered immoral, evidence of what is termed 'lady love,' and promptly punished."²²

Routine

The daily routine at Auburn was monotonous, there being little space for programs or recreation and little staff incentive for innovation. Even the

few events which did interrupt the monotony of life at Auburn had a cheerless aspect. Normally inmates were allowed half-an-hour of exercise daily in the yard. Doty describes them as wearing rubbers, capes, and knitted hats called "fascinators." "We resembled a group of dejected little orphans suddenly grown old as round and round the yard we marched." Another break was provided by chapel services featuring organ-playing by the chaplain's daughter and hymn-singing by the inmates. Members of the local Women's Christian Temperance Union would visit occasionally, distributing religious tracts and flowers. In 1912 a series of "entertainments" was organized, but like the institution's other activities, these too were probably more edifying than entertaining: they included Celebration of Columbus Day with readings; a music program featuring "vocal solos, pianologues and violin solos"; a Christmas presentation by the East Auburn WCTU; and a play performed by the inmates of Ward V called "The Colored Suffragettes." There were also unplanned interruptions of routine, as when an inmate gave birth, became deranged and was transferred to Matteawan, or committed suicide. Such events, no doubt, were central topics in the inmates' whispered conversations.²³

Given the bleakness of life at Auburn, it is little wonder that a Prison Survey Committee of 1920 described this prison as lacking in "vitality." To this committee, the State Prison for Women was like "an old ladies' home, or . . . a well-conducted county almshouse. The atmosphere was one of quiet routine" ²⁴

There were, however, three events which so intruded upon all aspects of life at the State Prison for Women that they caused the usual routine to be abandoned. First and least cataclysmic was the reappearance in 1913 of Madeline Doty, returning after her few days in the guise of an inmate to exhort prisoners and staff to institute major changes. In the tradition of Progress-

sive reformers (and in frank emulation of penologist Thomas Mott Osborne), Doty urged more contact between prisoners and the outside world and a system of inmate self-government. Prisoners, she instructed, should take an active role in all aspects of institutional life, from improving the food to discipline. But despite Doty's enthusiasm, several mass meetings of inmates, and a few innovations in routine, Auburn soon slipped back into its old ways. Doty blamed the backsliding on the older matrons who, she charged, were fearful that they would lose their jobs if inmates assumed too much responsibility. However, it is unlikely that the reforms recommended by Doty would have succeeded even had the matrons all been as youthful and adventuresome as she. Doty herself soon tired of the effort to enliven a routine whose monotony was inherent in the concept of incarceration.²⁵

The second and third events to disrupt the State Prison for Women were two related riots in the adjacent men's prison--the most serious prison riots in New York State history until Attica. In the first, which began on July 28, 1929, male inmates armed themselves from the prison's arsenal, set large areas of the men's prison on fire, and attempted a mass escape. "For five hours the battle raged," according to a contemporary report, "but in the end the guards, reinforced by State troopers and militiamen, drove the prisoners to cover with machine-guns, rifles and tear gas bombs. A check-up then showed that four convicts had escaped, two prisoners had been killed, and three guards, a fireman, and twelve convicts wounded."²⁶ The second riot in the men's prison began just a few months later, in December of 1929. During it, the principal keeper and eight inmates were killed; control was restored by state police armed with gas and guns. Neither riot seems to have spilled over the dividing wall into the women's prison, and they are not mentioned in documents relating to that institution. However, the effect there of fires, tear gas, and nearby gun battles must have been dramatic.²⁷

Removal to Bedford

In 1933, the New York State Prison for Women was relocated to the grounds of the Bedford reformatory, where it remains today. Among pressures contributing to the change, most important was severe overcrowding in the men's section of Auburn. This overcrowding, a prime precipitator of the riots of 1929, drew the attention of prison authorities to the adjacent women's prison, which had never reached capacity and was growing in population more slowly than any other prison in the state.²⁸

Removal of the female inmates from Auburn to Bedford had in fact been discussed since 1913, the year in which the Superintendent of State Prisons first suggested that the women's prison be appropriated for use by men. The plan for removal was developed more fully in 1920 when the influential Prison Survey Committee urged the state to buy the property across the street from the Bedford reformatory and relocate the Women's Prison to it.²⁹ (This property was owned by John D. Rockefeller, Jr. The head of the Prison Survey Committee, Adolph Lewisohn, was a business associate of William Rockefeller, brother of JDR, Jr. Purchase of this land from JDR, Jr.--for \$175,000³⁰--was completed in 1923.) In 1931 the legislature finally authorized relocation of the State Prison for Women to Bedford, where it was to receive the same types of offenders as previously and hold them apart from reformatory inmates but now be managed by the superintendent of the reformatory. In the same year the legislature appropriated \$225,000 for remodeling the dilapidated buildings on the former Rockefeller property.³¹ With the transfer of women to this land in Bedford in 1933, the State Prison for Women at Auburn went out of existence.

Conclusion

The Auburn State Prison for women was established just as the women's reformatory movement got underway in the Northeast, but it was the antithesis of

the archetypical reformatory in nearly all respects. Its plant was old, required little initial financial outlay, and relatively high in security. Administratively, the institution was dependent on the adjacent prison for men; and although it was supervised by matrons, they had little status or authority. Sentences were, at first, determinate, and even after the shift was made to indeterminate sentencing, terms were keyed to offense seriousness. Unlike most reformatory populations, which expanded rapidly, that of Auburn remained small, in part, it seems, because judges resisted committing women to Auburn. Nearly all of the inmates were convicted of felonies, and they were older at commitment than the typical reformatory woman. Of those in our sample, nearly 30 percent were black and another 30 percent foreign-born. Unlike most reformatory inmates, the prisoners were given industrial work and were sometimes paid for their labor; otherwise, however, they had little in the way of programs. In discipline and routine, the institution was highly regulated, strict, and monotonous. In most respects, then, the State Prison for Women bore more resemblance to men's state prisons than to women's reformatories.

This institution operated for four decades and received a total of 1,674 prisoners. But its existence, and that of similar units for women, has been ignored by most surveys of prison history. Perhaps such institutions have been neglected because they fit so poorly with popular, but narrow, conceptions of women's prisons.

Notes

¹In 1893, just before the State Prison for Women was established at Auburn, New York's penitentiaries held a total of 155 females (New York State Governor, Annual Message, 3 January 1893:181-82). That the Women's Prison Association of New York was one of the forces which brought pressure to bear on the legislature to establish the institution at Auburn and the reformatories is indicated by "Care of Women Prisoners," New York Times, 25 January 1891:3.

The first of the four female prisons established by New York state in the late nineteenth century was the House of Refuge for Women at Hudson, which received its first inmates in 1887; however, in 1904 this institution became a training school for girls. The Western House of Refuge at Albion, like the State Prison for Women, opened in 1893. The New York State Reformatory for Women at Bedford was established in 1892 but was not ready to receive prisoners till 1901. In contrast to the other two reformatories, Bedford admitted some felons as well as misdemeanants.

²The character of the Auburn men's prison is indicated by the fact that the first electric chair was installed and used there in 1890; the character of the Auburn women's prison is indicated by the fact that it was established within the same walls, just a few years later.

³New York State Commission of Prisons, AR 1896:42 ["only a wicket"]; New York Superintendent of State Prisons, AR 1892:23.

⁴New York State Commission of Prisons, AR 1898:68 ["airy and comfortable"]; ibid., AR 1908:92 [heat, light, water]; Madeline Z. Doty, Society's Misfits (New York: The Century Company, 1916), esp. pp. 25-26, 46.

⁵Doty, Society's Misfits:39.

⁶New York State Commission of Correction, AR 1928:15.

⁷New York Laws of 1893, Ch. 306, sec. 12.

⁸New York State Commission of Prisons, AR 1902:14-15.

⁹"An Old School Prison--The Institution at Auburn the First This State Built," New York Times, 8 December 1895:25.

¹⁰New York Laws of 1893, Ch. 306, sec. 9.

¹¹New York State Commission of Prisons, AR 1896:5-7; ibid., AR 1898:68-69; ibid., AR 1899:17; ibid., AR 1902:82 [on 1901 change in law]; ibid., AR 1896:43 ["If their friends . . . "].

¹²New York Superintendent of State Prisons, AR 1903:19-20.

¹³Ibid.

¹⁴The record book from which these data were taken is Volume 500F-4 of the Auburn Prison Records, New York State Archives, Albany, New York. Starting and stopping points for the list were chosen arbitrarily. These prisoners were received between 9 February and 5 October, 1931.

¹⁵Ibid.

¹⁶The source for this sample was also Volume 500F-4 of the Auburn Prison Records (supra n. 14). The only Bertillon register to survive from the State Prison for Women, this volume begins with a case received 24 July 1909 and ends with a case received 20 June 1933. For the homicide sample, data were collected on every homicide case in this register.

¹⁷For a classic description of the woman who commits homicide, see Marvin E. Wolfgang, Patterns in Criminal Homicide (Philadelphia: University of Pennsylvania Press, 1958).

¹⁸Data collection did not include a concerted search to identify crime partners. However, when in passing evidence was noted that an offender had acted with others, a record was made of the number and sex of her partners.

Crime partners were identified for a total of 4.3 percent of the sampled Auburn cases. Two of these cases had one male partner; for two others there was an indication of crime partners but no indication of their sex or number; and in the other cases the crime partners were females. It should be noted that the nature of the Auburn documents, which list only females, made it more likely that female partners would be detected than male.

¹⁹New York State Commission of Prisons, AR 1918:93 ["racket and discomfort"]; ibid., AR 1900:28.

²⁰Ibid., AR 1900:28; Doty, Society's Misfits:23. That women were not paid at all for their work in later years is indicated by New York State Commission of Correction, AR 1928:58, which argues that "as the men in the industries in the men's prison receive compensation, these [women] inmates should also receive it."

²¹"An Old School Prison," New York Times, 8 December 1895:25; Doty, Society's Misfits:17-18, 24-25, 51.

²²Doty, Society's Misfits:90-91 ["damp cells"], 53 [fines], 47-48 [homosexuality]; New York Superintendent of State Prisons, AR 1903:166 [Society of Red Badge of Courage]; New York State Commission of Prisons, AR 1918:93 [harshness of punishments at the State Prison for Women].

²³Doty, Society's Misfits:49; New York Superintendent of State Prison, AR 1913:199-200 [list of "entertainments" for 1912].

²⁴New York State Prison Survey Committee, Report (Albany: J.B. Lyon Company, 1920):366-67 (hereafter cited as Lewisohn Committee, Report).

²⁵Doty describes her futile efforts to reform the routine in the chapter of Society's Misfits which begins on p. 66. For the famous model she was following, see Thomas Mott Osborne, Within Prison Walls (New York: D. Appleton, 1916).

²⁶"New York State's Prison Revolts," Literary Digest, 10 August 1929:8.

²⁷For more on the riots see Winthrop D. Lane, "Prisons at the Breaking Point," Survey LXII (11) (September 1, 1929):557-58, 584-89 and Elizabeth B. Croft, "New York State Prisons and Prison Riots from Auburn and Clinton:1929 to Attica:1971" (Master's thesis, School of Criminal Justice, State University of New York at Albany, 1972).

²⁸New York State Department of Correction, AR 1932:7.

²⁹New York Superintendent of State Prisons, AR 1913:22, 127-28; Lewisohn Committee, Report, esp. 372.

³⁰New York Times, 15 February 1923:19.

³¹New York State Commission on Prison Administration and Construction, The Correctional Institutions for Women (Albany: J.B. Lyon, 1932):29.

CHAPTER 8

NEW YORK'S WESTERN HOUSE OF REFUGE AT ALBION

The Western House of Refuge at Albion, New York, was established largely through the efforts of Josephine Shaw Lowell, a commissioner of the State Board of Charities. Lowell had a two-fold interest in the establishment of reformatories for women: she wanted to see women removed from jails and other local penal institutions, where they were indiscriminately mixed with men under conditions which seemed to mire them yet deeper in crime; and she objected to the "unrestrained liberty allowed to vagrant and degraded women." In the late 1870s Lowell began her campaign for women's reformatories, and during the next decade she successfully lobbied for establishment of the House of Refuge for Women at Hudson, in the eastern part of the state. This institution opened in 1887, freeing her to turn her attention to the needs of delinquent women in western New York. In 1890, the legislation which founded the second reformatory was passed, establishing "a house of correction for women, to be located at some point within the seventh or eighth judicial district . . . , to be known as the Western House of Refuge for Women." This law specified that the new reformatory was to be governed by a five-person board of managers, at least two of whom were to be women, and it charged the managers with purchase of the land for the new institution, contracting for erection of buildings, and appointment of a female superintendent. It also specified the type of offender who should be committed to the new reformatory:

-2-

"any female between the ages of fifteen and thirty years who shall have been convicted . . . of petit larceny, habitual drunkenness, or being a common prostitute, of frequenting disorderly houses or houses of prostitution or of any misdemeanor." Such women, according to the establishing legislation, were to be committed on indeterminate sentences for terms of up to five years.¹

Facility

The managers purchased a 97-acre tract of farmland just outside the village of Albion, about 30 miles from Rochester and 45 miles from Buffalo. As described in the reformatory's first annual report, twenty acres were "inclosed by a picket fence and the buildings, 10 in number, situated therein on a high knoll." These buildings, built of brick "in a plain substantial manner," were arranged to form a great quadrangle, much like the buildings of a preparatory school. Dominating the quadrangle was the administration building, an imposing, castellated structure which stood at one end. Three stories high and thus rising above the other buildings, the administration building was also much larger, enclosing a central courtyard and containing, on each of three sides, cells for 22 prisoners. (The superintendent and her assistants had their quarters on the fourth side.) In later years, when the cottages further down the quadrangle were functional, these cells in the administration building were reserved for the reception of new inmates and the discipline of women who had violated cottage rules. In the first few years, however, before the cottages were habitable, prisoners lived in these cells. The cells were often referred to as "dormitories" in institutional

reports, and the entire administration building frequently called "the reception cottage," but most agreed that the structure was "more of a jail than a cottage . . . , having . . . cells with barred fronts . . . "²

The penitential aspect of this central building notwithstanding, the aim of those who founded the institution was rehabilitation rather than punishment. "The object of the Western House of Refuge for Women," explained the board of managers in their first report, is the reformation and proper education of . . . unfortunate and wayward girls . . . ; to give such moral and religious training . . . , and such training in domestic work as will eventually enable them to find employment, secure good homes and be self-supporting."³

To achievement of this mission, the cottage system was regarded as key. Indeed, the cottages and concomitant reformatory "plan of ordinary domestic life" were the most innovative aspect of the new institution, having been previously used with adult women only at the Hudson House of Refuge. The original plant at Albion included four cottages, each with a capacity for 22 inmates and 2 matrons. These buildings architecturally expressed the founders' understanding of the causes and cures of female criminality: errant women were those who had not been sufficiently well taught to assume proper female roles. As the managers explained, the cottage system was designed to promote "the idea of family life." Each cottage had a kitchen, for example, and a "sitting room in the second story, where the family [Sic] assemble in the evening for diversion." The refuge would nurture deviant women and train them to assume their proper functions as wives, mothers and housekeepers."⁴

Albion (as the refuge was often called) was built from the ground up with an initial appropriation of \$130,000. But despite the generosity of this appropriation and the careful rationalization of the architecture, the institution's plant gave trouble from the start. By the end of the second year, the maintenance deficit had reached \$10,000 even though Cottages 3 and 4 had not yet been equipped. Moreover, the administrators had by this time discovered the need for many new buildings--a house for the farmer, grain barn, horse barn, ice house, pig pen, hen house, gate house, and above all, a chapel. The heating system in the hospital would not work in winter, and there was no provision for sewage other than dumping it on adjoining private land. Even at the end of the fifth year of operation, when many of the defects of original construction had been overcome, the superintendent continued to complain about the plaster ("there still remain acres of the poor stuff cracking and threatening and falling").⁵

By 1931, when the reformatory was closed, its plant had come to include 8 cottages with a capacity of 234 prisoners. It had gotten its chapel and also a school building. However, an investigatory committee of the early 1930s found that the reformatory had been

the most neglected institution in New York's Correctional system The receiving administration building is probably the most impractical, even the worst building erected at a women's institution. It . . . has steep narrow winding stairs and steel cells and is a fire-trap of the most pronounced type."⁶

From opening to closing, in other words, the institution suffered from an underfunding of its physical plant. It seems likely that when the reformatory was founded, no one had a clear idea of how great an expenditure would be necessary to try to accomplish the institution's aims.

Administration

The administrative structure of the Western House of Refuge resembled that of other reformatories for women. Ultimate authority lay with the New York State Board of Charities (SBC). (The Commission of Prisons also had the duty of inspecting the institution, but it left the "active work of supervision" up to the SBC. The decision to do so reflected the belief--which was to some extent an actuality as well--that women's reformatories were charitable rather than penal institutions, falling into a category with juvenile reformatories, hospitals for the insane, and other social welfare institutions supervised by the SBC rather than into the prison category supervised by the Commission of Prisons.) Responsible for hiring the superintendent, making parole decision, and otherwise shaping policy was the unpaid board of managers, appointed by the governor. The superintendent reported to the board and herself supervised the daily operation of the institution. First superintendent was Mrs. Mary K. Boyd, a woman who had previously had "long and successful experience as matron in the female department of the State Industrial School at Rochester." Mrs. Boyd served at Albion until 1902, when she was replaced by Alice E. Curtin. Although most of the staff were women, men too were involved in the

operation of the reformatory, usually as managers at one end of the institutional hierarchy or as repair people at the other.⁷

According to the board of managers, writing in 1912, "Some of the salaries in this institution are not yet on a par with similar institutions."⁸ This financial inequity did not improve with time, as Table 8:1 indicates:

TABLE 8:1
COMPARISON OF SALARIES AT THREE NEW YORK STATE INSTITUTIONS,
ALBION AND BEDFORD HILLS REFORMATORIES FOR WOMEN
AND THE ELMIRA REFORMATORY FOR MEN,
1917, 1920, and 1931

	Albion	Bedford Hills	Elmira
<u>1917</u>			
Superintendent	\$2,000	\$3,000	\$5,000
Assistant Supt.	1,300	1,800	3,500
Parole Agent	900	1,800	1,800
Head, Educ. Dept.	600	1,020	1,800
<u>1920</u>			
Superintendent	\$2,500	\$3,000	\$5,000
Assistant Supt.	1,680	2,000	3,500
Parole Agent	1,020	1,020	1,500
Head. Educ. Dept.	1,020	1,020	1,900
<u>1931</u>			
Superintendent	\$3,000	\$5,000	\$9,000
Assistant Supt.	2,100	2,700	5,000
Parole Agent, Chief	1,492	1,700	---
Head, Educ. Dept.	1,540	1,436	2,500

SOURCE: New York, Laws of 1917, ch. 181, Laws of 1920, ch. 165, Laws of 1931, ch. 21.

As the table indicates, salaries at Albion were usually well below those of the more prestigious women's reformatory at Bedford Hills; and nearly all salaries at both women's institutions were lower than those at the Elmira men's reformatory. By 1931, Albion's

salaries had reached the level of those of Bedford in 1917, while those of Bedford had gone up to the 1917 level of Elmira-- and Elmira's was three times higher than that of Albion at the top administrative level.

Scandal broke about the ears of the administration of the Western House of Refuge in 1920, resulting in two investigations. A joint legislative committee began its inquiry after "charges of incompetency, mismanagement and wrong-doing" had been lodged. Three months later, the Governor asked John S. Kennedy, Commissioner of Prisons, to investigate charges of cruelty at the refuge. The reports of these investigations indicated that two central problems troubled the reformatory. First, the board of managers (which now numbered seven) was badly split into two factions: one did almost nothing, while the other took an active role but was too dependent on the wishes of the superintendent. Members of the first faction often would not bother to attend meetings, whereas at the other extreme, one of the activists, a Monseignor John L. Reilly, was making the institution's parole and discharge decisions practically on his own. The second central problem was the superintendent, Flora P. Daniels, who according to all indications was tactless, high-handed and bullying. Since her appointment in 1916, 145 employees had resigned, a complete turnover in staff. Daniels had, moreover, fired the three employees subpoenaed to testify in connection with the legislative investigation, a clearly retaliatory decision. Daniels survived the investigations but the board did not, both the Kennedy report and that of the joint legislative committee calling for appointment of an entirely new board of managers.

Sentencing and Prisoners

As noted earlier, the original commitment law specified that the refuge could hold females between the ages of 15 and 30 if they had been convicted, within the specified catchment area, of misdemeanors, and that it could keep such prisoners for terms of up to five years. The most important modification of this legislation was made in 1899, when the maximum term was lowered to three years. The change was made on the recommendation of the board of managers, who in 1898 advised the legislature that:

We are a unit in the conviction that this term of commitment should be reduced from five to three years. Each succeeding year deepens our belief that all the good which an institution such as ours can effect, in the way of reclaiming young women, can be accomplished in the briefer period.

The reduction went into effect on May 23, 1899. In addition to it, two other and more minor changes were made: the catchment area was expanded to eventually include the fourth through eighth judicial districts: and the minimum age for inmates was raised to sixteen years.¹⁰

Like other reformatories for women, Albion usually included a number of babies in its population. According to law, if a woman was nursing a child under one year or was pregnant at commitment, she could keep the child with her in the House of Refuge until the board of managers decided that the child should be removed elsewhere. Law also required, however, that all children be sent out of the refuge after reaching the age of two. (In many cases, if the child was over one at the time of its mother's commitment, or if it

reached two while its mother was still incarcerated, it would be sent to an orphanage or other type of asylum rather than to the father.) According to a total made in 1912, seventy-four babies had been born at Albion since the reformatory's opening.¹¹

Most women sentenced to the refuge were quite young. While judges did occasionally commit women older than the 30 year maximum set by law, the modal age was 17, and 75 percent of Albion inmates were 21 years or under at the time of commitment.¹² In race, the great majority were white:

TABLE 8:2

RACE OF SAMPLE OF PRISONERS SENTENCED TO THE WESTERN HOUSE OF REFUGE, 1894-1931

	<u>Number</u>	<u>Percent</u>
White	1,483	95.8
Black	49	3.2
Other	16	1.0
Totals	1,548	100.0

The few non-white cases, moreover, were mainly received toward the end of the reformatory's existence. That more non-whites were committed in the institution's later years was, no doubt, in part due to the general increase over time of blacks in New York State's general population.¹³ However, because the middle-class white women who founded and operated the institution aimed at restoring fallen women to the pedestal, they were particularly likely to screen out black women (i.e., those who almost by definition could not be pedestaled) in the early years when their sense of purpose was strongest.

Also affecting the racial composition of the prison was the fact that most of the prisoners were native New Yorkers, being drawn from the western, rural part of the state. The place of birth of inmates is indicated in Table 8:3:

TABLE 8:3

PLACE OF BIRTH OF SAMPLE OF PRISONERS SENTENCED TO THE WESTERN HOUSE OF REFUGE, 1894-1931

	<u>Number</u>	<u>Percent</u>
New York State	1,106	72.4
Northeast, excl. N.Y.	176	11.5
USA, other	87	5.7
Foreign-born	159	10.4
Totals	1,528	100.0

NOTE: The majority of the Foreign-born were European.

In all, 84 percent of the refuge prisoners had been born in the northeastern United States. However, this should not be taken to indicate that they came from families long settled in the region, for at least 36 percent of Albion inmates had foreign-born parents.¹⁴

Table 8:4 indicates that despite their relative youthfulness, most women sent to the Western House of Refuge had a work history:

TABLE 8:4

PREVIOUS OCCUPATION OF SAMPLE OF PRISONERS SENTENCED TO THE WESTERN HOUSE OF REFUGE, 1894-1931

	<u>Number</u>	<u>Percent</u>
Service	812	53.5
Blue Collar	288	19.0
White Collar	67	4.4
Entertainment	18	1.2
Farm	4	.3
None, Retired, or No Information	329	21.7
Totals	1,518	100.1*

*Off due to rounding error.

TABLE 8:6

MARITAL STATUS OF SAMPLE OF PRISONERS SENTENCED TO THE WESTERN HOUSE OF REFUGE, 1894-1931

	<u>Number</u>	<u>Percent</u>
Single	1,093	70.6
Married	456	29.4
Totals	1,549	100.0

Moreover, the prisoner case files suggest that a greater proportion were single when they left the refuge than when they entered it: a number of the files contain divorce papers and other indications that husbands took advantage of their wives' incarceration to obtain a divorce or to terminate the marriage less formally.

From these data, a profile of the typical Albion inmate emerges: she was a 17-year-old white woman, born and raised in New York State, Protestant and single, and she had previously been employed in a low-level service occupation like housework. She was, in short, someone whom the reformers who operated the institution might view as worth saving.

Turning to the question of the type of offenses of which Albion inmates were convicted, we find that in this respect, too, these women probably seemed to be worth saving: their offenses, relatively petty for the most part, probably appeared to be signs of poor training rather than deep-seated criminality. As Table 8:7 indicates, the great majority of the inmates were convicted of public order offenses:

TABLE 8:7

CONVICTION OFFENSE CATEGORIES OF SAMPLE OF PRISONERS SENTENCED TO THE WESTERN HOUSE OF REFUGE, 1894-1931

<u>Offense category</u>	<u>Number</u>	<u>Percent</u>
Violent crime	19	1.2
Property crime	217	13.8
Public Order crime	1,288	81.8
Other	51	3.2
Totals	1,575	100.0

The few instances of violent crime were mainly assault, six of them assault in the third degree, probably a not-too-serious matter and perhaps one which would have been overlooked had the brawlers been male. As for the property crime category, the modal offense within it was petit larceny, of which there were 166 cases; again, the impression is one of transgressions which may have been more shocking than serious. (This impression is borne out by details on offenses which appear in some of the prisoner registries and files. A number of the Albion inmates were domestics who stole small articles from employers, while others were amateur shoplifters. Inmate No. 1297, convicted of second degree forgery, had signed someone else's name to a \$40 check, which she then cashed.) Within the category of public order crimes, offenses for which Albion women were frequently convicted included immorality (3.7 percent of all cases), intoxication (4.9 percent), waywardness (6.9 percent), and prostitution (8.5 percent). Most common of all was vagrancy, of which 46.5 percent, or nearly half of all the inmates, had been convicted.

Exploration of the meaning of the vagrancy charge reinforces the impression that women were frequently sent to Albion for non-conformity to sex role expectations rather than for behaviors normally thought of as criminal: for some, it was violation not of the criminal law but of the double standard which resulted in a charge of vagrancy and incarceration at the refuge. According to the registries and case files, half of those sentenced for vagrancy, or about one-fourth of the total refuge population, were convicted of violating Section 887, subdivision 4 of the Code of Criminal Procedure, a combined vagrancy-prostitution charge.¹⁶ This seems to suggest that at least a quarter of the refuge inmates were prostitutes. But details in the registries and files contradict this first impression, indicating instead that women arrested for the 887 violation were often enthusiastically sexual young women who ignored conventional proprieties.

The 887 charge might be used to punish a premarital pregnancy, for example--or a series of them, as with No. 1451, who had just borne her third illegitimate child when county officials decided to send her to the refuge. Sometimes an 887 charge was brought on complaint of some member of the woman's family, such as an exasperated mother or an embarrassed husband. This was the case with 19-year-old Sarah M., committed on the 887 charge after one month of marriage. "Sarah did not know it," reads a note on her record, "but it was her husband who had her sent here"--evidently because she was cuckolding him.¹⁷ In yet other cases the 887 charge was used to arrest women who were in poor health or poor company.¹⁸

Some of the refuge inmates doubtless were professional prostitutes, the 8.5 percent sentenced for prostitution, for example, and the additional .5 percent convicted for keeping houses of ill fame. There were also other women who had engaged more casually in acts of sex for money, such as one who frequented "Jimmy Joe's place on Railroad Ave. where she received men."¹⁹ But the great majority seem, like Jennie B., to have been merely "promiscuous": Jennie was sent to the refuge for five years for having "had unlawful sexual intercourse with young men and remain[ing] at hotels with young men all night particularly on July 4 1893."²⁰ In fact, the Western House of Refuge had little interest in the hardcore professional prostitute; it was far more interested in the malleable young woman who might respond positively to its efforts to reform.

Data on prior record, presented in Table 8:8, show that about 40 percent of the refuge inmates had had some sort of involvement with governmental authority before being sent to Albion:

TABLE 8:8

PRIOR RECORD OF SAMPLE OF PRISONERS SENTENCED TO THE WESTERN HOUSE OF REFUGE, 1894-1931

Type of prior record	Number	Percent
None, no previous trouble with law	839	53.0
Trouble with law but no commitment	204	12.9
Prior commitment to (a) non-penal institution or (b) institution of unknown type	301	19.0
Prior commitment, penal institution	129	8.2
No information	110	7.0
Totals	1,583	100.1*

*Off due to rounding error.

Nearly 30 percent had previously been institutionalized, 8.2 percent in a penal institution. (Not shown in Table 8:8 is that most of these prior penal institutionalizations were in local jails. However, 30 of the sampled inmates [1.9 percent] admitted having previously served time in a state-run penal institution for adults.) Close to another 13 percent had had brushes with the law. These data suggest that while not hardened criminal, a large proportion of Albion inmates were relatively "tough," women who had previously had scrapes with the law, lived in institutions, or both. Details in the case files, too, indicate that many were independent and occasionally defiant young women.

As noted earlier, all of these women received indeterminate sentences, the five year maximum being dropped to three years in 1899. On the average, they spent 34 months in the institution. As Table 8:9 shows, however, this average masks the fact that time-served in fact declined as the years went on:

TABLE 8:9

AVERAGE TIME SERVED OF SAMPLE OF PRISONERS SENTENCED TO THE WESTERN HOUSE OF REFUGE, BY PERIOD DURING WHICH COMMITTED

<u>Period</u>	<u>Number in sample for this period</u>	<u>Average time served in months</u>
1894-1903	211	40.9
1904-1911	332	36.8
1912-1922	435	32.1
1923-1925	107	31.1
1926-1931	274	29.2
Total	1,359	

NOTES: (1) Length of periods was determined by considerations beyond the scope of this chapter. (2) Seven percent of the prisoners sampled had 5 year maximum sentences, the others 3 year maximums; all with the 5 year maximum were committed during the first period, which helps explain the long average for time served before 1903.

In view of the fact that release from Albion was governed by an indeterminate sentencing law, it is not surprising that most inmates were released on parole, as shown in Table 8:10.

TABLE 8:10

TYPE OF FIRST RELEASE OF SAMPLE OF PRISONERS SENTENCED TO THE WESTERN HOUSE OF REFUGE, 1894-1931

	<u>Number</u>	<u>Percent</u>
Indeterminate-type release	1,300	84.0
Determinate-type release	84	5.4
Escape	20	1.3
Death	8	.5
Other	136	8.8
	<u>1,548</u>	<u>100.0</u>

NOTE: The indeterminate-type releases were nearly entirely paroles. The determinate-type releases included absolute discharges at expiration of the maximum and cases discharged by the institution as improper commitments. Escapes were not counted unless the inmate was gone at least 24 hours. The Other category includes transfers to other institutions and court-ordered releases.

At first, parolees were not supervised by an institutional official, though many were watched closely by employers if, as was the institution's common practice, they were paroled to positions as domestics. Early in the twentieth century, the institution developed a position for a parole officer, who would visit parolees and return them, if necessary, for misbehavior. Most of the revocations were for immorality or threats thereof, as in the case of one Isabel, returned in 1919 to the refuge for "going out with a disreputable married man and on several occasions all night." Others were revoked for stealing from or being "saucy" to employers. Writing in 1917,

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the parole officer reported that "We place more girls out at general housework than at anything else We earnestly endeavor to place our girls in the home of a woman who will take a motherly interest in them" Sometimes employers would return parolees to the refuge, but sometimes they returned voluntarily: if a parolee was unhappy in a placement, the refuge might bring her back till a more satisfactory position was found. As early as 1898 the superintendent noted the "elasticity of the parole conditions" at Albion, and that observation applied equally well at the institution's close: parolees moved frequently and with ease back and forth across the institutional boundaries. Some women even ran away from unpleasant family or employment situations to return to the refuge.

Program and Conditions

The first superintendent of the Western House of Refuge, Mary K. Boyd, left a dramatic account of the opening of the new institution. On December 9, 1893, she and the head matron "took possession" of the administration building "and set to work, in the midst of chaos." As the institution was not yet ready for occupancy, there were plumbers and crates of equipment "at every turn. Night overtook us without provision for lighting the huge building" The next day they purchased candles, which served as their only source of illumination until the electric lights began to function on Christmas Eve. After that, "we were able to run the sewing machine late into the night, preparing bedding."

Despite these bleak and uncomfortable circumstances (it was also the dead of winter), Boyd and her assistant had the refuge ready to operate within a month, and on January 3, 1894, their first inmate arrived. At first prisoners worked alongside administrators, there still being much work to accomplish; but as soon as the institution was in smooth running order, Superintendent Boyd found that "the question of [inmate] employment looms up almost the first problem to be solved."

She solved it, in part, by scheduling a strenuous fourteen hour day, as follows:

6:00 a.m.	Rise
6:30	Breakfast
7:00	Devotions
7:30	Work
9:00	School, grades 1 through 4
12:00 noon	Dinner
12:30 p.m.	Recreation
1:00	Work
1:30	School, grades 5 through 7
4:30	Physical culture
5:30	Recreation
6:00	Supper
7:45	Devotions
8:15	Retire

Even Sundays were highly scheduled, with Sunday school at 10 a.m., chapel at 3 p.m., a quiet hour before supper and a prayer meeting afterward.

Throughout the history of the refuge, there were two key components to the institutional program: schooling and industrial training. In schooling, Albion aimed at providing inmates with at least a sixth grade education and in some years it was able to offer

classes on the seventh and eighth grade levels as well. Alice E. Curtin, who in the early twentieth century became the refuge's second superintendent, got her start at Albion in 1896 as head of the school department, an enterprise for which she clearly had some academic pretensions: written compositions were required each Friday; there were final exams; and at the end of the academic year there was staged a graduation ceremony during which inmates were given²⁵ "certificates of promotion."

About the turn of the century, Albion worked out the program which it followed thereafter of splitting the six hours of school instruction into two parts, "three hours in the morning and three in the afternoon, different grades of students attending each session." Those not attending school received training in "industry," the other key component in the Albion program. Much of the industrial training involved needlework, inmates receiving instruction in plain and fancy sewing, knitting, crocheting, and dressmaking. They sewed their "parole suits" and great numbers of corset covers, sanitary napkins, and aprons. In the Industrial Department they were also taught house cleaning, "ventilation," and laundering. There was at first some tension over how the laundry should be handled. The reformatory had purchased a steam-operated washing machine, but the superintendent reported that "It has been found convenient, since there are so many practically idle hands, to do the bulk of the work by hand." The machine was also disapproved by Sarah L. Davenport, the prison commissioner responsible for inspecting the refuge. Davenport confessed herself "sorry to see a steam washing machine

This table includes several indications that the refuge women were probably from rather poor backgrounds. First is the simple fact that so many of them reported previous employment; in New York State as a whole in 1910, for example, only 27 percent of all¹⁵ women were gainfully employed. Second is the fact that such a large proportion were employed in low-level, service occupations. When we break the Service category down further, we find that the three best-represented jobs were Houseworker, Waitress and Factory Worker. The small proportion who had held white collar jobs also suggests that the prisoners came from poor families which could not provide the luxury of much education.

In religion, about two-thirds of the refuge women belonged to a Protestant church of some sort, with almost all the others claiming a Catholic affiliation:

TABLE 8:5

RELIGIOUS AFFILIATION OF SAMPLE OF PRISONERS SENTENCED TO THE WESTERN HOUSE OF REFUGE, 1894-1931

	<u>Number</u>	<u>Percent</u>
Protestant	1,016	66.1
Catholic	500	32.5
Other religion	12	.8
None, irreligious	9	.6
Totals	1,537	100.0

Not surprisingly in view of their youthfulness, more than two-thirds of the refuge inmates reported being single, as Table 8:6 shows:

in the laundry. It is not educating the women . . . for the homes they will go to when they leave Albion." So both to keep inmates busy and to train them for domestic positions in homes where there might be no mechanical aids, the refuge stressed²⁶ hand laundering.

The industrial program became more streamlined when, in 1912, Albion acquired "a finely equipped domestic science department." This department trained 24 pupils daily, 12 in the morning and 12 in the afternoon, and as it offered a full course three times yearly, it was able to annually instruct a total of 72 inmates. Before entering the domestic science course, an inmate would serve in the kitchen, work considered a stimulant to her interest in culinary matters. Once enrolled in the course she would learn how to cook, "from the brewing of a cup of tea to the making of choice candies." She was "also given instruction in waiting on table, luncheon being served here to the board of managers on the day of their monthly meetings, and occasionally to other special company, thus [receiving] actual experience along this line of work."²⁷

Behind both the educational and industrial training programs at Albion lay the belief that if these lower class young women were taught to conform to middle class standards of female propriety, they would be unlikely to fall again into vice. Closely linked was the conviction that domestic service was also an excellent guard against vice. Writing in 1917, the superintendent explained that

. . . while we are teaching the girls in school and giving them industrial training which will help them to be self-supporting, the underlying idea through it all is to strengthen their moral fibre and to build characters which will resist²⁸ temptation.

The main thrust of the refuge's training, in other words, was to teach women to stay in and care for a home, though it might be the home of another if an inmate became a servant.

It is worth asking whether the refuge would have placed less stress on domestic training had it been better funded and thus better able to offer a broad range of programs. Certainly Albion was much more poorly funded than the state's reformatory for men at Elmira. With Elmira clearly in mind, Superintendent Boyd expressed her frustration at the legislature's stinginess toward Albion:

Reformatories for men, with their fine military system, manual training schools and expert instructions are abreast of the age. Not so with women's reformatories, especially the Western House of Refuge for Women, which lacks every thing²⁹ which goes to make a good institution, except good management. On the other hand, the refuge tried to ignore its steam washer, and we can speculate that other types of machinery, which might have been used to train women for non-domestic positions in factories or offices, might well have produced similar avoidance reactions. The heart of the matter seems to be that the institution's administration was so determined that it could cure female criminals by teaching

them gentility, domesticity and other attributes of middle class femininity, that it would not have pioneered new types of training programs even had funds been available.

In the refuge's early years, two other aspects of the institutional program also played important roles in the life of inmates: farming and a program of special events. In 1898 prison commissioner Sarah L. Davenport reported of Albion that "The grounds are cared for by the women to a large extent. The morning we arrived, nine were picking potato bugs, two running lawn mowers, one picking strawberries, and several others digging weeds." In 1910, although the farm was supervised by a man from the Agricultural Department at Cornell, "the women [were doing] the weeding and hoeing in the care of the 60 acres." At Albion as at other reformatories for women, however, as time went on sex-role stereotyping came to rule the allocation of institutional work, and inmates performed ever fewer farming tasks. The reformatory's report for 1930 indicates that the actual farming was being done by others, with inmates, "under the supervision of the garden matron," relegated to care of the vegetable garden and help with the chickens.³⁰

In the early years, the administration put on a series of special events designed to break the monotony of routine and edify inmates. Easter of 1895 was celebrated with "an evening of music, song and recitation by Miss Cousins, teacher of elocution in the Albion High School, and Miss Bennett, a fine vocalist." The same year, on the occasion of the hundredth anniversary of the establishment of the public school system, "Mr. Irving M. Thompson of the Albion School

Board gave an informal talk," and he returned again on Arbor Day to "favor" the "girls" "with an appropriate address on the uses of trees, their beauty and value." One can only speculate as to the effect of such programs on the prisoners. The presence of such programs in the overall curriculum, however, provides yet another indication of the administration's theory of rehabilitation: through the inculcation of gentility, loose girls would be transformed into ladies.³¹

Discipline at Albion seems to have presented few problems in early years. (While it would be a mistake to take the institution's own reports of good discipline at face value, other reformatories for women also experienced few disciplinary problems in their early years, when inmates and staff pulled together in the common cause of establishing a new institution; and there is independent confirmation of the Albion reports.) In 1898 Superintendent Boyd reported that "Threats are never made, simply because there is nothing to threaten. There are no penalties. After all, discipline is largely a matter of fresh air, good food and cleanliness." The "female temperament," in Boyd's opinion, was unable to abide "arbitrary rules" and the usual harsh discipline of prisons. Concluding her remarks on discipline, Boyd took another shot at Elmira, the men's reformatory whose self-aggrandizing reports of new systems of prisoner discipline were attracting international attention and which must have been a continual source of gall to her: Albion's method of discipline, she opined, was "more natural" than the "reformatory methods or systems most in vogue ³² which are overloaded with cumbersome machinery" of rewards and penalties.

As the missionary zeal of the early years wore off and the institution's population expanded, it became less easy for the refuge to operate without punishments. In 1912 the board of managers requested a "disciplinary building" in which "to isolate girls who are creating a disturbance, until such a time as they are willing to resume their place in the family." The same year the managers also requested funds for an iron fence (" . . . it would not be so easy for the girls to escape").³³ The superintendent, Alice E. Curtin by this point, found two scapegoats to blame for the growing disciplinary problems: the matrons and the inmates. The institution, she explained, had become unable

to obtain conscientious and enthusiastic workers The class of women seeking positions in the charitable institutions has not been up to the standard of former years, not the kind of women to replace our first workers whose devotion to duty was paramount (T)here is in these days a tendency to too much self-seeking in regard to hours off duty, and too little of the spirit of self-sacrifice.³⁴

Curtin also blamed disciplinary problems on "the all too frequent commitment of the feeble-minded." At this point there began to issue from Albion, as from women's reformatories all over the country, the complaint that "the feeble-minded" were impeding the process of reform. Curtin expressed the hope that the state would soon establish an institution where feeble-minded delinquent women might be sent so that her reformatory could proceed with "the work for which it was designed, unrestricted and unhampered by a class foreign to its purpose."

The next superintendent, Flora P. Daniels, took up the same theme, writing in 1917 that "As to the feeble-minded, we shall be glad when not one has to be kept in the institution since we fully appreciate that delinquency which is due to feeble-mindedness is not subject to reformation." These calls for an institution to which the unreformable feeble-minded might be sent are particularly interesting in the case of the Western House of Refuge because it was abolished in 1931 to make way, on the same site, for an institution for female "defective delinquents." Most of those identified as feeble-minded ("defective") were probably of normal intelligence, though they may well have been trouble-makers who therefore appeared to administrators incapable of learning to cooperate. (Parole violations, for example, were taken as a sign of mental defect in the prisoner rather than of failure by the institution to reform. "In most cases," according to the institutional report for 1922, "parole violation may be accounted for by the low mentality of the girl")³⁵

On arrival at the refuge, a new inmate would be put into "quarantine" in the administration building, where she would be undressed, bathed, given institutional clothing and held for two weeks during which she was examined physically and mentally. After the fortnight in quarantine, new commitments would be assigned to one of the cottages, to remain there until parole unless they created disciplinary problems; in the latter case they would be returned to the administration building for periods of up to several months. While at the institution, women were almost entirely cut off from the outside world, permitted to have visitors only once every three months and to

write a letter only every two months. Incoming mail, moreover, was screened by the superintendent, who would confiscate letters from correspondents she deemed unsuitable or which contained information which might distract inmates from the paths of rectitude.³⁶

The reformatory's atmosphere changed over time. As already noted, the first few years seem to have been ones of hard work, enthusiasm and hope, with the main frustration flowing from inadequate funding. By the turn of the century, some of the glow had worn off and Albion settled into a routine. This continued until the difficult period of 1917-1920. With the country's entry into World War I, the superintendent modified the routine so prisoners could help with the war effort. Albion was given \$200 by the Girls' Welfare Committee of the Erie County Branch of the Women's Department of the National Civic Federation, money it used to enlarge its vegetable gardens: one plot was dug next to each cottage and the athletic field converted into a potato field. Extra food thus produced was donated to the state in order to help it save money. Inmates also knitted for the Red Cross and volunteered to help with such institutional jobs as unloading coal. "And so the end of the fiscal year [1917] found us, officers and girls alike, wide awake to the urgent call of our country" ³⁷ The next year Albion was hit by the influenza epidemic, and in 1919 began the investigations, described earlier, of mismanagement and cruelty to inmates. After the stormy three-year period had passed, the institution again moved into an uneventful period in which routines were followed fairly mechanically.

That the refuge performed a broad range of social functions was reflected in inmates' attitudes toward it and toward the experience of their incarceration. Had Albion merely punished, inmate reactions would have been mainly negative. However, the institution also provided services not available elsewhere to young, working-class women--health care, a place where they could deliver illegitimate babies, education and job training, and, at times, companionship and a sense of family unfamiliar to inmates who had been orphaned or abused. Even the refuge's efforts to impose class values may have been appreciated by some: to be a lady had, after all, a general social value.

The attitudes of inmates toward the refuge are recorded from time to time in the prisoner registries. Some, to be sure, were wholly negative, as was the case with No. 1277, a Polish Russian who disappeared on parole. "We could not find her. Had trouble to talk with any of her relatives whom it would seem knew where she was but would not tell." In many other cases, however, refuge inmates or ex-inmates appear to have been genuinely grateful to the institution and its personnel. "When it came her time to go home," inmate No. 1257, who had been "obedient and always loyal to the officers . . . cried and it was with difficulty that the Parole Officer persuaded her to go." ³⁸ Some ex-inmates, after marrying, returned to show the refuge to their husbands. Many others wrote the superintendent (their letters remain in their case files); and yet others, as noted earlier, would run away to the refuge from a bad parole situation. Inmate No. 1639, after her parole had expired, visited the refuge

"to ask Supts [sic] advice about re-marrying. Her first husband is in prison." Inmate No. 2089, a black woman who had secured a job cleaning a drug store, "sent a dollar to buy a 'record' for her old cottage." These examples, which could be multiplied, reflect considerable good will between inmates and the refuge; whether or not the institution reformed them, it certainly provided services which were appreciated by many recipients.

Closing of the Western House of Refuge

The Albion State Training School (as the Western House of Refuge had been renamed in 1923) was abolished entirely as of 1 July 1931, to be replaced by an Institution for Mentally Defective Delinquent Women.³⁹ At both Albion and at Bedford Hills, the comparable reformatory for women in eastern New York, mental tests had for some time been used to sort out those of "defective" intelligence from those who were "normal." Defective delinquents, it was believed, could never improve and thus should be held in separate institutions on fully indefinite sentences; reformatory programs for the normal, on the other hand, should not be hampered by the presence of those too slow to learn. The legislation of 1931 not only transformed the nature of the institution at Albion; it also authorized transfer of the refuge's "normal" women to Bedford and of Bedford's "defective" women to Albion. (The sentences of those women left behind at Albion were automatically extended to up-to-life. When we recall that Albion prisoners were originally sentenced for minor sexual transgressions or petty thefts, the fully

indefinite sentences seem a bit harsh.) The first transfers took place on 1 October 1931 with 34 women being sent to Bedford from Albion and 40 moving from Bedford in the opposite direction. Still other transfers were made between the two institutions the following winter. The new Institution for Mentally Defective Delinquent Women (its name was soon changed back to Albion State Training School to reduce the stigma) was superintended by a man, Dr. Gordon F. Willey, signaling the end not only of the Western House of Refuge but also of the reformatory approach toward criminal women which had been developed by female administrators at Albion.⁴⁰

Footnotes

¹ Josephine Shaw Lowell, New York State Board of Charities, AR 1877, as quoted in William Rhinelander Stewart, The Philanthropic Work of Josephine Shaw Lowell (New York:Macmillan, 1911):92; New York, Laws of 1890, Ch. 238, secs. 1, 8. For one of Lowell's early arguments for women's reformatories, see Mrs. C.R. Lowell, "One Means of Preventing Pauperism," National Conference of Charities and Correction, Proceedings 1879:189-99. On the evolution of Lowell's viewpoint and of the refuge legislation, see Stewart, The Philanthropic Work of Josephine Shaw Lowell, Ch. VII; also see Nicolas F. Hahn, "Too Dumb to Know Better: Cacogenic Family Studies and the Criminology of Women," 18 (1) Criminology (May 1980):3-25.

² New York State Western House of Refuge for Women (hereafter NYS/WHR), AR 1894:7; Frank E. Wade, State Commission of Prisons, report of inspection of 23 December 1926, as quoted in New York State Department of Correction, Albion State Training School, Albion, N.Y.: Its History, Purpose, Makeup and Program (Coxsackie, N.Y.: New York State Vocational Institution, 1949):6. The institution is extensively described in NYS/WHR, Annual Report 1894; for photographs, see NYS/WHR AR 1895.

³NYS/WHR, AR 1894:10.

⁴Ibid.:12 ["plan of . . . life"], 7.

⁵New York State, Laws of 1890, Ch. 238, sec. 20 [original appropriation]; NYS/WHR, AR 1898:19.

⁶New York State Commission to Investigate Prison Administration and Construction, Special Report: Correctional Institutions for Women (Albany, 1932):32.

⁷New York State Commission of Prisons, Annual Report 1905: 52-53; NYS/WHR, AR 1894:10.

⁸NYS/WHR, AR 1912:6.

⁹New York State Commission of Prisons, AR 1920:32 ["charges of . . . wrong-doing"]; New York State Joint Committee of the Legislature, Report of Investigation concerning the Management, Conduct and Affairs of the Western House of Refuge for Women at Albion, N.Y. (N.Y. Leg. Doc. No. 48, 1920); John S. Kennedy, Commissioner, "Report to the Governor Relative to the Investigation of the Management of the Western House of Refuge for Women at Albion," in New York State Commission of Prisons, AR 1920:100-103.

Daniels' temperament comes through vividly in her correspondence with families of inmates and with inmates themselves (these letters remain in the case files held by the New York State Archives at Albany). In one pitiful instance, an inmate whom Daniels had had transferred to the Rome Custodial Institution for the feeble-minded (and whose sentence had become totally indefinite with the transfer) wrote from Rome to ask, "Do I have to stay here any longer than what my time was [originally] called for . . . I will be three years in custody as of May and I hope you will see that I get home then." To this plea for information regarding her legal status (a plea which was, incidentally, written in long hand and with words like "epidemic" spelled correctly, indicating that the ground for transfer was something other than "feeble-mindedness"), Daniels answered,

The time [you have to serve] is not the same as if you had stayed at this Institution. In fact, we have no more claim on you and your work is now entirely under the direction of the Rome Custodial Institution.

. . . As for yourself Anna, I want you always to do the thing that you know to be right then you will have nothing to regret.

(New York State Archives, Western House of Refuge case file No. 1649.)

This chilly and evasive letter, reflecting Daniels' confidence in her ability to wisely exercise immense discretion, is paralleled by letters from her to the relatives of inmates who would write (sometimes frantically) asking what they should do to get their wives or daughters back. To such letters Daniels usually replied that the "girl" was far better off at the refuge and would be released when the administration through best. As she herself explained,

Very frequently letters come to the office from parents or lawyers, asking that a certain girl be released because six months is long enough to punish any girl. The reply . . . [is] that we are not punishing nor do we believe that punishment or mere residence in an institution reforms anybody; that only we ourselves, who are living with the girl and watching her day by day to see evidences of a change in her, can decide when she . . . can be given the responsibility of meeting again the demands of outside life; also that we . . . can best decide in what surroundings she should be placed at work during her parole period (NYS/WHR, AR 1922:9-10).

¹⁰New York State, Laws of 1899, Ch. 632 (applying to the women's reformatories at Bedford Hills and Hudson as well as to Albion); NYS/WHR, AR 1898:8; New York State, Laws of 1910, Ch. 449, sec. 226.

In 1897, Sarah L. Davenport, the prison commissioner who inspected Albion, mistakenly wrote that "the women are sentenced for three years, but are paroled sooner if their conduct warrants the managers in doing so" (New York State Commission of Prisons, AR 1897:106). This error might be interpreted to mean that Albion prisoners were, in 1897, in fact serving three years or less, although the law still placed the maximum at five years. According to the data given below on average time served, however, during the period 1893-1903 the average term served at Albion was nearly 41 months, well over three years. Therefore Davenport's error seems to reflect not a reality but rather her own ignorance of the sentence maximum. Like other social control agents, she may have been insensitive to the meaning of length of incarceration to inmates.

¹¹New York State, Laws of 1890, Ch. 238, sec. 16; NYS/WHR, AR 1912:9.

¹²The data sources on which these statements and the following tables are based are described in the Preface and Appendix A.

¹³The expansion of the black population of New York is indicated by the following table:

POPULATION OF NEW YORK STATE BY RACE, 1890-1930 IN THOUSANDS

	Total population	White	Negro	Other
1930	12,588	12,153	413	22
1920	10,385	10,172	198	15
1910	9,114	8,967	134	13
1900	7,269	7,157	99	13
1890	6,003	5,924	70	9

SOURCE: U.S. Department of Commerce, Bureau of the Census, Historical Statistics of the United States, Colonial Times to 1970. Part I (Washington, D.C., 1975):32.

¹⁴The percentage is based on a figure which includes cases in which the parents' place of birth was unknown; therefore the actual proportion with immigrant parents may be higher.

¹⁵U.S. Department of Commerce, Bureau of the Census, Thirteenth Census of the United States Taken in the Year 1910. Vol. IV. Population 1910. Occupation Statistics (Washington: Government Printing Office, 1914):37.

¹⁶In such cases, the prison clerk who filled out the prisoner registries, would write, after the word OFFENSE, "Sec. 887 Code of Criminal Procedure, subdiv. 3." Section 887 of this code defined various categories of vagrants, subdivision 4 including "A common prostitute who has no lawful employment, whereby to maintain herself."

¹⁷Case No. 1331.

¹⁸E.g., Cases No. 1585 [health], No. 1431 [company].

¹⁹Case No. 2185.

²⁰Case No. 4 (inmate's case file). For a collection of letters written by a woman who may well have closely resembled some of the Albion inmates, see Ruth Rosen and Sue Davidson, eds., The Maimie Papers (Old Westbury, N.Y.: The Feminist Press, 1977). A former prostitute and perhaps a syphilis victim, Maimie Pinzer wrote these letters between 1910 and 1922, years during which of course, the refuge was in operation. This collection is also relevant in that Maimie eventually founded the Montreal Mission, a halfway house for young prostitutes, some of whom are described by her.

²¹Case No. 1713 [Isabel]; NYS/WHR AR 1917:14, AR 1898:15.

²²NYS/WHR AR 1894:15.

²³Ibid.:14.

²⁴NYS/WHR, AR 1896:19-20.

²⁵Ibid.:26-27.

²⁶NYS/WHR, AR 1895:15, AR 1896:21; New York State Commission of Prisons, AR 1897:106 (also see p. 107 where, in her report on the women's reformatory at Hudson, Davenport reports "I was pleased to see there was no washing machinery . . . the training they get fits them for life outside").

²⁷NYS/WHR, AR 1912:13.

²⁸NYS/WHR, AR 1917:9.

²⁹NYS/WHR, AR 1896:21. It was about this time that a marble swimming pool was installed at Elmira for the inmates.

³⁰New York State Commission of Prisons AR 1898:140, AR 1910:126; NYS/WHR, AR 1930:366.

³¹NYS/WHR, AR 1895:16-17; also see AR 1896:22 and AR 1897:17-18.

³²NYS/WHR, AR 1898:16-17. The Commission of Prisons praised the good discipline at Albion in early years. In its report for 1900, for example (AR 1900:46) it noted that once again, no one was in punishment at Albion, an achievement it attributed largely to the experience of the superintendent. At Hudson, in contrast, a number of women were undergoing various forms of punishment (p. 47).

³³NYS/WHR, AR 1912:4-5.

³⁴Ibid.:15.

³⁵Ibid.:15-16, AR 1917:10, AR 1922:15. On the defective delinquency movement in general, Nicolas Fischer Hahn, "The Defective Delinquency Movement: A History of the Born Criminal in New York State, 1850-1966" (unpublished dissertation, Albany: State University of New York at Albany, 1978).

³⁶For an analysis of the effects of this institutional regimen, and of the refuge's general influence on working class women in western New York at the turn of the century, see Nicole F. Rafter, "Chastizing the Unchaste: Social Control Functions of the Women's Reformatory System," forthcoming in Andrew Scull, ed., Sociological Review Monographs (1981).

³⁷NYS/WHR, AR 1917:11.

³⁸It should, however, be noted that this inmate's reluctance to leave the institution may have been influenced by the fact that she had an unpleasant situation to return to: her mother had been sent to an insane asylum, leaving small children at home for whom the paroled inmate would have to care.

³⁹New York State, Laws of 1931, Chs. 455 and 456. The name had been changed to Albion State Training School by Laws of 1923, Ch. 26.

⁴⁰Histories of the Institution for Mentally Defective Delinquent Women at Albion can be found in the New York State Department of Correction pamphlet cited in note 2 and in the dissertation cited in note 35.

CHAPTER 9

FEMALE STATE PRISONERS AT THE OHIO
PENITENTIARY, 1815-1917

In Ohio, as in New York and a number of other northern and midwestern states, the incarceration of female state prisoners developed as follows: Throughout the nineteenth century and well into the twentieth, women were held in the state's main prison for men (in Ohio, the Penitentiary). Early in the twentieth century a reformatory was established, and eventually (in Ohio's case almost immediately), penitentiary women were transferred there, the old women's section at the penitentiary thenceforth being used for men. This chapter deals with the unit where women were held at the Ohio Penitentiary until, in 1917, the last of them was transferred to the reformatory. The next chapter relates the history of the Ohio Reformatory for Women.

Provision for Female Prisoners at the
Ohio Penitentiary

Ohio made two false starts before it managed to establish its penitentiary on a permanent basis. The first two efforts, of 1815 and 1818, misfired because the buildings erected were inadequate in size and in provisions for discipline. But the third effort to establish a penitentiary, made in 1834, was

-2-

successful--so much so that the institution remains in operation today. Women were held in all three of these early penitentiary buildings. It is impossible to determine exactly how many were incarcerated in the first two as the original prisoner registry from the early period has been lost. However, a copy of the first registry has survived, and although there is no way to determine how complete it is, it does list three women (out of a total of 113 cases):

--Polly Mifflin, convicted in 1816 for stealing bank notes and sentenced to hard labor in the penitentiary for nine months and to one day in solitary confinement.

"Her character appeared as a smart active woman," according to the copy of the record book, "but in respect to industry and honesty, she stands not very fair";

--"Sylvia (a black woman)," convicted in 1817 of larceny and sentenced to the penitentiary for one year, three days of which were to be spent in solitary confinement;

--Anna Roach, also convicted of larceny in 1817 and sentenced to one year of hard labor in the penitentiary.

According to Marvin Fornshell, an early twentieth century historian of the penitentiary who claimed to have examined the original prisoner registry, ten women were held in the two penitentiary buildings erected before 1834, "and all of them were pardoned. None of them served more than eighteen

months," although their sentences ranged from two years to life. Only one of these women was black, according to Fornshell, an ex-slave named Mary Kiles who was received in 1833. O. F. Lewis, also writing in the early twentieth century, reported that seven women were held at the Ohio Penitentiary in the single year 1832; according to Lewis, three of these were black.³

The first of the three early penitentiary buildings, opened in 1815 in southwest Columbus, was a brick structure three stories high. The building itself was 60 feet long by 30 feet wide but it sat on a larger lot, the whole being enclosed by a 15 foot high wall. Erected before the concept of the individual cell became popular, this structure contained rooms in which several prisoners were held at one time. These rooms were not large, however, all thirteen of them having been located on the third floor of the structure.

Within little more than a year of the opening of this first penitentiary, it had become clear that the building was too small to hold Ohio's rapidly expanding prisoner population, and thus a larger prison was planned. Some effort was made to design this second structure, built close by the first, along the lines of the recently erected prisons at Auburn, New York, and Wethersfield, Connecticut, and indeed it did include 54 separate cells. However, the architect of the 1818 building still had the older "house" model of a prison in mind (the cells opened off central hallways, and the entire building was relatively small), so a true rendition of the

congregate system was not accomplished. Below ground were five dark, unheated cells for solitary confinement; it was here, according to O. F. Lewis, that the female prisoners were held.⁴ An early nineteenth century traveller who visited this institution described it as

a sink of corruption, a nuisance to the community, an expense to the state, a hotbed of villany. Insurrections were frequent, no subordination, no obedience. . . .

At the hospital, we found many sick, of the scurvey /sic/.⁵

More than scurvy afflicted the prisoners of this 1818 penitentiary: when a cholera epidemic hit Columbus in 1833, one hundred of them became ill and eleven died.⁶

Even before the epidemic made the many defects of the second penitentiary manifest, the legislature had authorized construction of a new one on a site further north in Columbus: this new penitentiary would architecturally embody the disciplinary principles developed at the prison at Auburn, New York, and be large enough to accommodate the state's prisoners for many years to come. Like other prisons of its type, the new penitentiary consisted of two long wings of cells which met in a central, forward-jutting administrative area. The latter contained the warden's residence and guard room. The new penitentiary resembled the prison at Auburn not only in its cell arrangements but also in that it was located in the middle of town. Only a frontal grassy area (on which the unit for women prisoners was shortly to be build) lay between it and a main street.

This new penitentiary, which opened in 1834, offered prisoners no improvement in living conditions; indeed, most commentators ranked it as one of the worst prisons in the country. The wardens ran the institution solely with an eye to profit, providing no programs, no services, not even a chaplain or a change of clothing for prisoners. Dorothea Dix reported at mid-century that "The ventilation is exceedingly defective," so much so that fires had to be kept burning year round "to absorb the dampness, and to promote a freer circulation of air."⁷ "The Ohio State Penitentiary," Dix concluded in an indictment scathing even for her,

is so totally deficient of the means of moral and mental culture directly imparted, that little remains to be said, after stating the fact. Voluntary preachers . . . have toiled here; yet nothing is done to aid instruction by legislative enactment⁸

To this new penitentiary was attached, in 1837, a separate wing for women--probably the earliest separate structure in the country designed and built specifically for female state prisoners. One of the long sides of this women's wing was built against the eastern wing of the main prison. This annex, in other words, was attached to the front of the main penitentiary; it backed onto one of the cells blocks for men. (The structure itself remains there today.) This women's wing was entered through a small iron door which took one directly into the living area, originally consisting of eleven two-person cells. On three sides, the women's wing was

surrounded by a small yard and then a separate wall which joined with the shared side of the penitentiary's east wing.⁹

The women's building was expanded from time to time but remained crowded and cramped because the perimeter wall prevented true expansion. This unit's internal arrangements were described toward the end of the nineteenth century by one of the penitentiary's wardens: On the first floor was a reception area, dining room, laundry and kitchen. Cells, a common room, and workshops took up the second floor, while on the third were more cells, another workshop, and a school room. It was in this general area that Ohio's female state prisoners were held between 1837 and 1917.¹⁰

The passing years brought little improvement in the wretched conditions at the Ohio Penitentiary reported by Dix. Not long after her inspection another cholera epidemic hit Columbus, this one taking an even more severe toll at the penitentiary: one-quarter of the prisoners died, as did the institution's physician; at the height of the epidemic, 22 convicts died in one day. The next year another 21 died in an epidemic of dysentery. In addition to being poorly ventilated and infested by diseases, the penitentiary was too badly decayed to keep out the elements. The wings of the men's prison, "which have leaked for years," were recovered in 1850 with cement. "The female prison has been served in the same way," according to the annual report, but "Much more needs to be done by way of improvements."¹¹ Thirty years later we find the penitentiary's Directors complaining that:

The building occupied as a female prison is inadequate for the purpose--a new building is a prime necessity. The old one is badly out of repair and in a dilapidated condition; no reasonable amount of repairs will make it suitable. We therefore recommend that a new building be erected, of modern design and conveniences, upon a more suitable site, and that the old buildings be abandoned and removed

From time to time appeared a few slight signs of improvement. In 1880, for example, two bathtubs were installed in the female department, "a long and much-needed improvement" which, the prison report of that year justly observed, "will doubtless contribute greatly towards the sanitary condition of this department." Despite some other "improvements and repairs," however, officials recognized that the buildings of the female department were "so badly worn and decayed as to render any degree of comfort impossible." After another decade, we similarly find the warden reporting that although the female section has been cleaned and whitewashed, "the building has become so old, and dilapidated, that the only efficient remedy is to rebuild." ¹³ And yet ten years later, in 1900, the physician pointed to

the poor sanitary condition of the female department.

This department should by all means be replaced by a more modern one at the earliest possible moment. Also a special place should be provided in this department for the treatment of the sick. The building is old and very dangerous in the event of fire.

An investigatory committee of the legislature found in 1908 what prison officials and visitors had been reporting for sixty years: that "the woman's department is badly arranged. There is danger of fire burning the women before they could be released from their cells." This committee recommended construction of a new women's department. ¹⁵ But at about the same time, sentiment for a reformatory for women began to grow. The resultant pressure led to establishment of the completely separate institution to which the penitentiary women were transferred in 1916.

During the years when women were held at the Ohio Penitentiary, only a small proportion of the total convict population was female, as shown by Table 9:1.

TABLE 9:1
NUMBER AND PERCENT FEMALE OF TOTAL PRISONER POPULATION, OHIO PENITENTIARY, FOR SELECTED YEARS 1832-1915

	Total Population	Number of females	Number of males	Percent female
1832	190	7	183	3.7
1840	488	7	481	1.5
1850	424	5	419	1.2
1860	932	15	917	1.6
1870	1000	37	963	3.7
1880	1232	18	1214	1.5
1890	1557	25	1532	1.6
1900	1744	38	1706	2.2
1909	1625	61	1564	3.8
1912	1633	33	1600	2.0
1915	1951	44	1907	2.3

(continued)

SOURCE: The figures are derived from the penitentiary's annual reports for the years in question with the exception of the data for 1832 and 1909. The 1832 data are given by O. F. Lewis in The Development of American Prisons and Prison Customs, 1776-1845 (orig. 1922; repr. Montclair, N.J.: Patterson Smith, 1967):261; those for 1909 in Ohio Board of State Charities, AR 1909:99.

The penitentiary's registries indicate that after the women's department was closed on September 1, 1916, with the transfer of 31 women to the new reformatory at Marysville, two other women were committed to the former by mistake; they were, however, quickly transferred to the reformatory.

Administration

During the nineteenth century the Ohio Penitentiary was administered by a chaotic series of wardens and matrons. A recent study of the "failure of institutional reform" at the penitentiary by John R. Resch attributes this failure in part to the "spoils system [which] resulted in frequent turnovers of personnel, made the creation of a stable professional staff impossible, and undermined enforcement of rehabilitation policies." ¹⁶ Speaking further of "alleged corruption among officials and political jobbery," Resch writes:

Between 1850 and 1860 the succession of five different boards of directors and eight wardens led to shifting and often conflicting policies partly because there was no common standard of professionalism. Officials were usually hired on the basis of political partisanship or business accomplishments, as well as on their social standing, gentlemanly conduct and Christian character. ¹⁷

Similarly, the position of matron was often filled with little concern for professionalism. Sometimes there was no matron at all but only a female guard or two. At others there was a matron but, in evident recognition of how little was expected of her as a prison official, she would write no report. Those matrons who took a real interest in the job seem to have quit or been dismissed with great rapidity. This speedy turnover was in part a function of the turmoil among top officials at the adjacent men's prison. It was also a function of the underfunding to which such women's prison departments were frequently subject: the position of matron was one of the most poorly rewarded of jobs. As of November 1869, the women's department, with nearly 40 prisoners, was run by only two women, the matron and a guard; evidently they were responsible for 24-hour supervision. The matron, L. V. Desullum, was paid \$66.66 monthly, just \$1.66 more than a male guard in an adjoining men's institution. The female guard received \$45 each month. Twenty years later there were still only two staff members for the women's department, the matron (whose pay had been reduced to \$50 per month) and a guard (down to \$35 per month). By early 1890, another guard and a "sub-Guard" had been added, raising the staff to four. However, the matron's pay had been reduced still further, to \$37.50 each month (in comparison the warden's monthly salary was \$150) and the guards' ¹⁸ lowered to \$30.

New by-laws for the penitentiary, drawn up in 1884, introduced an element of stability into the politically chaotic comings and goings of officials by defining jobs. The position of matron having been here defined, it seems to have been filled thereafter. As set forth in these 1884 by-laws, the Duties of the Matron were as follows:

--"She shall, under the supervision of the Warden, have charge of the Female Department," providing food, clothing and discipline and insuring that the women "faithfully do the work required of them, by direction of Warden";

--"She shall spend the entire day visiting frequently, but irregularly and without notice, the work-shop, kitchen, and laundry, instructing the prisoners in their work";

--"She shall attend Sunday morning services whenever held in the Chapel of the prison";

--"She shall reside at the Penitentiary in apartments furnished for her . . . , and shall on the first of each month furnish a written report to the Warden
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. . . ."

The 1884 by-laws also spelled out the duties of the assistant matron: she too was required to reside in the penitentiary; she had to get the matron's permission every time she wished to leave; and she was to assist the matron and act in her stead when the matron was absent.

Through low status and underfunding, the women's department never had the power to function with much independence of the men's section; however, the degree of self-management varied from year to year. During periods when there was no matron at all but, at best, only a female guard or two, female officers had almost no authority whatsoever. Even when there was a matron, she was often not considered an officer of the institution: the 1880 version of the penitentiary's by-laws, for example, makes no mention of a matron (though it even specified the "Duties of the Superintendent of the Kitchen" of the men's unit). Although the 1884 version of the by-laws recognized the existence of the matron, she and her assistants continued to be regarded as least among the prison's officers.²⁰ But in the little world of the women's annex, the matron did, of course, reign supreme; and because she was largely ignored by the outside world, she could sometimes wield more authority than had been relegated to her. This is brought home by a passage from the autobiography of one of the women's department's notorious prisoners, Sarah Victor:

The matron under Mr. Warden Dyer--perhaps I should say over him for it was sometimes difficult to tell which held the reins of government--was . . . very self-willed, and seemed entirely devoid of feeling for the prisoners. If she wanted a person punished, and the warden objected, she would manage to circumvent him,²¹ and have the punishment inflicted.

Yet despite such occasional stealthy exercises of authority, the matrons were in fact scarcely more than prisoners themselves, required to live within the walls of a much damned, disease-ridden building and burdened with responsibilities which were heavy, constant, and poorly paid. Some matrons, such as the Mrs. Desellum much praised by Sarah Victor, appear to have managed the women's institution with compassion and care. Others, however, were brutal and tyrannous. Their virtual exclusion from all rewards structures gave them little incentive to be otherwise.

Discipline

In general, discipline was more lax for women prisoners held at the Ohio Penitentiary than for men. Conditions of incarceration were not necessarily superior for women as a result, however, for absence of discipline was sometimes accompanied by lack of other forms of attention and control.

In the two very early penitentiary buildings erected prior to 1834, few restraints could be placed on either men or women, herded together as they were in relatively large cells with few occupations to structure their time. With the opening of the penitentiary of 1834 came a severe clampdown in discipline: the Auburn system of silent labor was enforced and prisoners were celled alone. Within three years, women had been removed to the wing constructed especially for them. As no matron was appointed until 1846, they must have led a relatively unsupervised, undisciplined existence in the

intervening nine years. Such, at any rate, is the impression given by Gerrish Barrett, a representative of the Boston Prison Discipline Society who visited the Ohio Penitentiary in the mid-1840s. Barrett reported that although there were only nine women, they gave more trouble than the 500 male convicts: "The women fight, scratch, pull hair, curse, swear and yell, and to bring them to order a keeper has frequently to go among them with a horsewhip." That there was at least some accuracy to Barrett's report is indicated by Dorothea Dix's independent observation of about the same period, according to which "There was no matron in the woman's wing at the time I was there, . . . and they were not slow to exercise their good and evil gifts on each other." Later in the century prisoner Sarah Victor reported that "the knives had all been taken from the female department by Warden Groves⁷, to prevent some refractory prisoners from cutting each other, which they had done, in a terrible manner, at times" Prisoners victimized as a result of lack of supervision may well have wished for tighter discipline. ²²

According to one of the penitentiary's late nineteenth century wardens, the women prisoners had many privileges not available to men. They could, for example, "talk at all times." This should not be taken to mean, however, that strict rules had never been imposed on the women. According to Sarah Victor, in the early 1870s the "discipline of the prison was very strict . . . , the prisoners not being allowed to speak to each other" Nor did it mean that women

were not on occasion punished severely. Brutal punishments were common within the walls of the Ohio Penitentiary, and at least some of these were meted out to intractable female prisoners. In a report of 1880, for instance, a new matron alludes, with some awe, to a very severe form of punishment formerly used on the women; she announces that she has not had to use it and hopes she will not have to. This may have been the "'humming-bird,' an inhuman mode of punishment . . . since abolished" in which, as described by Sarah Victor, the offender was stripped and placed in a tub of water after which, while a steam pipe was made to shriek with frightening intensity, electric current was applied to her body. Victor also describes a woman who was beaten so severely by a male guard "that she was black-and-blue all over her body." She herself, when she first arrived at the penitentiary, was kept in solitary confinement for five months.

At times, then, the female prisoners at the Ohio Penitentiary were treated as harshly as the males. At others, they were disciplined less severely, but because leniency sometimes went hand in hand with anarchy, it was not necessarily preferable to the rigors of an isolated cell.

Program and Conditions

Insofar as women incarcerated at the Ohio Penitentiary had structure to their days, this structure was built around work. Job assignments were mainly to sewing and laundering, activities dictated in part by sex roles and in part by the

fact that the women's quarters were too cramped to allow room for other types of jobs. The report for 1850 states that the five women prisoners were "employed in making garments for the use of the male prisoners," and similarly, a decade later we are told of fourteen female convicts that "all . . . were employed in sewing and washing for the prison, with the exception of one, who is excused from it on account of her age. One is partially insane, but still performs her task with great regularity." For a brief period near the end of the nineteenth century, a few prisoners were given chairs to cane, but by the early twentieth century female prisoners were once again exclusively involved with cleaning and stitching clothes: the report for 1912 lists, among their other products, 2,794 hickory shirts, 2,311 undergarments, 52 nightshirts (all for male prisoners) and 609 sheets.

Indifferent even to basic sanitation, this institution, not surprisingly, also showed no interest in providing schooling or other types of programs for its female inmates. The only regular attention came on Sundays, when the chaplain would stop by to deliver a morning service and sometimes, later in the day, a bible class. Very rarely, a woman from the outside would visit, as when, in the late 1870s, a Mrs. Taylor from Columbus established the habit of teaching Sunday school to the women convicts. Total isolation from the outside world, however, was usually the rule: for example, in her nineteen years of confinement, Sarah Victor left the women's wing only

twice, on both occasions to attend services in the chapel of the main prison.

Insofar as there were breaks in routine, these came about through individual initiative. Occasionally a matron would encourage reading and writing, and in the early 1890s classes were organized by "Miss Ash, a scholarly woman and an excellent teacher, also a prisoner." At about the same time was organized a "colored female glee club" consisting of seven women who "were uniformed and drilled for service at the several entertainments [in the men's prison], and brought rounds of applause from the 'boys' whenever they appeared on the O. P. stage." (Visitors reported the glee club "'just too cute for anything.'") And on holidays, a kindly matron might provide a bit of fruit or candy. Such breaks in the monotony of prison life, however, depended on efforts of individuals; most of the time the women, dressed in drab striped gowns, led lives of bleak repetition.

The Prisoners

Immense notoriety marked a few of the women held at the Ohio Penitentiary. Esther Foster, a black woman, is said to have killed a fellow woman prisoner with "a heavy iron fire shovel, and the victim's brains were literally beat out and the skull beaten into a mass of flesh and bones." Together with a male prisoner who had killed a guard, Foster was hung in February of 1844, before which, according to one historian of the penitentiary, "for a week or ten days every road leading

to Columbus, for the distance of fifty or one hundred miles, was lined with wagons . . . , bringing whole families to see the double execution" Sarah M. Victor, whose²⁶ autobiography has been mentioned, was convicted in 1868 of murdering her brother to collect his life insurance; so well known was her case, and so sympathetically did she present herself, that she received many special privileges at the penitentiary. Victor tells the story of another well-known prisoner, Annie McFarland, this one having attracted attention through being a principal in "the great Ohio penitentiary wedding." Annie married her former partner in crime, a prisoner in the men's section. According to Victor,

Great excitement prevailed . . . till the wedding occurred. I think some three hundred tickets were issued. Members of the legislature and many others from the city attended. A lady in Boston sent the bride a complete bridal outfit²⁷

An early twentieth century account of the penitentiary includes the story of a Mrs. Cassie L. Chadwick, alias Madame DeVere, who was "(t)orn, by the mandates of inexorable law, from a life of regal splendor, from a Cleveland mansion that had been a bower of luxury . . . , to die behind the grim grey walls of a penitentiary, deserted and abandoned" Cassie Chadwick was credited with, among other exploits, having²⁸ bilked both a bank and Andrew Carnegie.

Most of the penitentiary's inmates were less colorful. The rest of this section attempts to build a picture of the

average inmate, this average being based on records of women committed 1888 through 1917. The next section deals with typical inmates' conviction offenses and sentences.

The age range of the penitentiary's women prisoners was great, extending from 15 years at commitment (three women having been committed at this age) through 69 years. About half of the women, however, were in their twenties at the time of commitment, as Table 9:2 shows:

TABLE 9:2

AGE AT COMMITMENT OF WOMEN SENTENCED TO OHIO PENITENTIARY 1888-1917

	Number	Percent
12-15 years	3	.5
16-20	89	15.9
21-30	281	50.3
31-40	130	23.3
41-50	38	6.8
51-96	18	3.2
Totals	559	100.0

The average age of the Ohio Penitentiary female inmates was 28.6 years at commitment. These women were, then, relatively mature.

In terms of race, more than 40 percent of the female convicts were black:

TABLE 9:3

RACE BY PERIOD OF COMMITMENT OF WOMEN SENTENCED TO OHIO PENITENTIARY 1888-1917

	All Women		1888-1892		1893-1903		1904-1911		1912-1922	
	No.	Percent								
Black	237	40.5	25	26.0	87	39.4	71	43.6	54	51.9
White	347	59.3	71	74.0	134	60.6	92	56.4	49	47.1
Other	1	.2	0	0	0	0	0	0	1	1.0
Totals	585	100.0	96	100.0	221	100.0	163	100.0	104	100.0

As the breakdown by period show, the proportion of white inmates steadily fell over time from a high of 74 percent in the 1888-1892 period to a low of 47 percent in the period 1912-1922, while the proportion of blacks steadily rose from 26 percent in the earlier period to nearly 52 percent in the latter. But this reversal was not a function of change in the general composition of the population of the state, which edged up from 2.5 percent black in 1880 to 3.2 percent black in 1920, thus remaining far below the level of incarceration for black women.

Less than half the prisoners had been born in Ohio:

TABLE 9:4

PLACE OF BIRTH OF WOMEN SENTENCED TO OHIO PENITENTIARY 1888-1917

	Number	Percent
Ohio	233	46.3
Midwest, excluding Ohio	63	12.5
South	95	18.9
Northeast	47	9.3
West	2	.4
Canada	19	3.8
Europe	44	8.7
Totals	503	99.9*

*Does not add to 100.0 percent due to rounding error.

This table indicates that nearly one-fifth of the 503 female prisoners on whom birth place information is available were born in the south. These tended to be black women, as shown in Table 9:5:

TABLE 9:5

	Black		White		Other	
	Number	Percent	Number	Percent	Number	Percent
Ohio	76	37.8	152	51.2	1	100.0
Midwest, excl. Ohio	31	15.4	32	10.8	0	
South	70	34.8	25	8.4	0	
Northeast	13	6.5	34	11.4	0	
West	0		2	.7	0	
Canada	11	5.5	8	2.7	0	
Europe	0		44	14.8	0	
Totals	201	100.0	297	100.0	1	100.0

Whereas white prisoners tended to be born in Ohio, black prisoners were almost as likely to have moved to Ohio from the south as to have been born in the state. Like the black women sentenced to the penitentiary in Tennessee, the southerners appear to have been part of a northward, post-Civil War migration of blacks. Not long out of slavery, they probably had little education and few skills.

Before incarceration, the overwhelming majority of the women had been employed in low-level service occupations:

TABLE 9:6

PRIOR OCCUPATION OF WOMEN INCARCERATED AT OHIO PENITENTIARY 1888-1917

	Number	Percent
Blue Collar	45	9.1
Entertainment	1	.2
Farm	1	.2
Service	422	85.3
White Collar	12	2.4
"None" or Retired	14	2.8
Totals	495	100.0

Table 9:7, which displays the particular prior occupation for all occupational categories into which 2 percent or more of the prisoners fell, further confirms that the women had, before incarceration, held the most menial kinds of jobs:

TABLE 9:7

PRIOR OCCUPATIONAL CATEGORIES INTO WHICH FELL TWO PERCENT OR MORE OF WOMEN SENTENCED TO OHIO PENITENTIARY 1888-1917

	Number	Percent
Cook	14	2.3
Domestic	139	22.8
Housekeeper	88	14.4
Houseworker	121	19.9
Seamstress or Dressmaker	33	5.4
Laundress	20	3.3
Housewife	12	2.0
"None"	14	2.3
Missing Information	103	16.9
Totals	544	89.3

NOTE: Percentages are based on a total of 609 cases. In this table, distinction is made between cases in which the clerk actually wrote "None" or a synonym and those in which s/he left a blank (missing information cases). But conceivably, a blank might have been left in instances when an inmate reported prior unemployment.

If we combine the categories of Domestic, Housekeeper, and Houseworker (Table 9:7), we find that 57 percent of the inmates had previously held one of these housecleaning positions. This suggests that most of the women were low in socioeconomic status, a suggestion reinforced by the fact that so many reported having been previously employed.³¹

Information on religious affiliation was not recorded by the clerks at the women's section of the Ohio Penitentiary, and the data on marital status are too scanty to be reliable.

Offenses and Sentences

Slightly more than half of the women sentenced to the Ohio Penitentiary had been convicted of property offenses, a figure which fluctuated from time to time but not radically:

TABLE 9:8

CONVICTION OFFENSES BY PERIOD OF COMMITMENT OF WOMEN SENTENCED TO OHIO PENITENTIARY 1888-1917

	Total		1888-1892		1893-1903	
	Number	Percent	Number	Percent	Number	Percent
Violent	201	33.3	27	27.0	64	29.0
Property	314	51.8	61	61.0	114	51.6
Public Order	76	12.5	12	12.0	34	15.4
Other	15	2.5	0		9	4.1
Totals	606	100.0	100	100.0	221	100.1*

	1904-1911		1912-1917	
	Number	Percent	Number	Percent
Violent	69	42.3	41	33.6
Property	73	44.8	66	54.1
Public Order	18	11.0	12	9.8
Other	3	1.8	3	2.5
Totals	163	99.9*	122	100.0

*Does not add to 100.0 percent due to rounding error.

Data on the 584 cases for which we have information on both offense and race indicate that a higher proportion of black than white women were convicted of violent crimes:

TABLE 9:9

CONVICTION OFFENSE BY RACE OF WOMEN SENTENCED TO OHIO PENITENTIARY 1888-1917

	Totals		Black		White	
	Number	Percent	Number	Percent	Number	Percent
Violent	195	33.4	106	44.7	89	25.7
Property	303	51.9	122	51.5	180	52.0
Public Order	72	12.3	7	3.0	65	18.8
Other	14	2.4		.8	12	3.5
Totals	584	100.0	237	100.0	346	100.0

	Other	
	Number	Percent
Violent	0	0
Property	1	100.0
Public Order	0	0
Other	0	0
Total	1	100.0

On the other hand, a higher proportion of white women than black were convicted of public order crimes. (This probably means not that black women did not commit public order crime but rather that such behaviors seemed less offensive when committed by blacks than whites.) The two races were convicted about equally of property crimes, though of course when we take into account the fact that blacks comprised only about 3 percent of the general population of Ohio in the overall period under consideration, their rates of conviction for property crime, and violent crime as well, are disproportionately high.

Nearly all of the women sentenced to the Ohio Penitentiary received determinate sentences (87.2 percent of the 531 on whom such data are available). They did not necessarily serve the full number of years of punishment meted out by their judges, however, for sentences could be shortened through time off for good behavior. Many of the prisoners had a maximum sentence of one year (248 or 40.7 percent of the total 609 cases on whom data were collected). Others had even shorter sentences (No. 37024, for example, was sentenced to two months for throwing stones at a steam vessel), but such brief terms were unusual because most of the prisoners were not misdemeanants but felons. The availability of good time, in combination with the high proportion of prisoners with a maximum sentence of one year, might lead us to predict a short average of months in incarceration for the prisoner group as a whole. In fact, the overall average was 28.1 months--nearly two and a half years. That the average time served was this long can be explained by the fact that whereas nearly 41 percent had a maximum sentence of one year, only 10.5 percent had a minimum of one year; further, many had high maximum sentences. Of the total of 609 cases, 14.4 percent had maximums of two years, 7.6 percent maximums of three years, nearly 4 percent maximums of four years, and about 8.5 percent maximums of five years. Still others had much higher maximums, with 1.6 percent having maximums of Life. The lengthy times served of such prisoners raised the overall average.

If time served is broken down by period, we find that in Ohio, as in other states covered by this report, the average time served diminished as the years went on.

TABLE 9:10

AVERAGE TIME SERVED IN MONTHS BY PERIOD OF COMMITMENT
OF WOMEN SENTENCED TO OHIO PENITENTIARY
1888-1917

<u>Year committed</u>	<u>Average time served in months</u>	<u>Number of cases committed in the period*</u>
1888 to 1892	29.9	92
1893 to 1903	29.3	209
1904 to 1911	28.1	160
1912 to 1917	23.2	90
Total		551

*Data were collected on every commitment with the exception of the period 5-1910 through 1911, for which no data were collected.

Reference back to Table 9:8 will show that this decrease in time served was not a function of a decrease in the relative seriousness of conviction offenses, for the proportion of Violent crime convictions in fact rose between 1888 and 1917.

As noted earlier, most of the prisoners had determinate sentences but could be released before expiration of sentence through time off for good behavior. That most did in fact achieve release before their full terms expired is shown by Table 9:11:

TABLE 9:11

METHOD OF RELEASE OF WOMEN COMMITTED TO OHIO PENITENTIARY 1888-1917

	<u>Number</u>	<u>Percent</u>
Definite-type release	53	8.7
Indeterminate-type release	489	80.4
Escape	2	.3
Died or killed	5	.8
Other	<u>59</u>	<u>9.7</u>
Totals	608	99.9*

*Does not add to 100.0 percent due to rounding error.

NOTES: "Definite-type release" is defined as any type of discharge in which the point of release was fixed, either because the prisoner had to complete her entire sentence or because the sentence was completely terminated by means such as pardon or reversal of judgment. "Indeterminate-type release" is defined as any type of discharge in which time of release was not fixed but flexible; it includes discharge through expiration with good time credits, parole, and conditional pardon. The "other" category includes deportation, transfer to another institution, and cases in which it is unclear whether or not the prisoner received good time credits before release.

Most of those discharged through indeterminate-type release were discharged through expiration of sentence with good time credits (391 prisoners or 64.3 percent of the total cases); only 70 cases (11.5 percent) were "paroled." (The meaning of "parole" as used in the penitentiary convict registries seems to be close to that of expiration with good time credits, for even prisoners with definite sentences were sometimes "paroled.") That so many were released with good time credits, however, should not be taken as an indication that these women were model prisoners: many lost their potential good time credits only to have these restored by the Board of

Managers immediately before release. Most of the nearly 9 percent who were discharged on a definite-type release were discharged through pardon by the governor. Most of those released through means listed as "Other" in Table 9:11 were discharged through transfer to another penal institution, a type of discharge most common in the last period (1912-1917) when all female prisoners were transferred to Marysville.

When information relating to crime partners was noted in passing, such data were collected. That is, in Ohio as in other states studied by this project, no systematic effort was made to identify crime partners but when information on accomplices was noted in passing, it was recorded, with the following results:

TABLE 9:12

CRIME PARTNERS OF WOMEN SENTENCED TO OHIO PENITENTIARY 1888-1917

	<u>Number</u>	<u>Percent</u>
No evidence noted of crime partner(s)	514	84.4
Evidence noted of one or more female partners	43	7.1
Evidence noted of one or more male partners	<u>52</u>	<u>8.5</u>
Totals	609	100.0

NOTE: Data not collected on a systematic basis.

In 37 cases, women were noted to have had one female crime partner (6.1 percent of the total cases); slightly more were observed to have had a single male partner (47 cases or 7.7 percent of the total). In other words, those Ohio women

noted as having acted with accomplices usually had just one partner, and slightly more often than not this partner was a male. In over 7 percent of the total cases, however, the women had acted in concert with other women.

Data were not systematically gathered which would enable us to answer the question of whether men and women sentenced to the Ohio Penitentiary received similar sentences for similar offenses. However, some comparative data on sentencing were collected on cases in which a woman acted in concert with a male accomplice. (These were mainly incest cases; of the 609 female penitentiary cases on which data were collected, 11 or 1.8 percent had been convicted of incest.) In most of these cases, the woman received a shorter sentence than did her male partner. Perhaps judges considered women more likely to be victims, especially in instances of sex crime; or perhaps many of these women had in fact been "led astray," a supposition encouraged by the circumstance that a number of them were actually much younger than their male crime partners and, in some cases, in a subordinate position. Sarah L., for example, received a sentence of five years for committing incest with her father, who received a seven year sentence. She was 35 years old and a widow, he 66 years old and married. Similarly, convict No. 34141 received a one-year sentence for incest while her crime partner was sentenced to four years; she was 22 years old, he 42 years. Less frequently, a male and female crime partner would receive the same sentence, as in a case where a brother and sister

committed incest and each received a sentence of three years. And in one instance, it was observed that the woman in a case of incest received a sentence of three years whereas her brother-husband was sentenced to two-and-a-half years. These data, albeit scanty and unsystematically collected, suggest a good deal of attention to individual factors, including sex but not limited to it, at the point of sentencing.

The data of the last two sections indicate the following general picture of the prisoners, their offenses, and their sentences: Women committed to the Ohio Penitentiary tended to be mature in years, averaging near the age of 30 at commitment. Nearly one-half of them were black. More than half of them had been born out of state, a circumstance especially true in the case of black women, of whom almost 35 percent had been born in the South. Before incarceration, the women had been employed, mainly at very low-level service jobs such as house cleaning.

These women had mainly been convicted of property crime, with blacks having a higher proportion of convictions for violent crime and whites for public order crime. Most received fixed-term sentences, and they served, on the average, about two-and-a-half years, an average which decreased over time to slightly less than two years. Most of

the female prisoners were released through expiration of sentence with good time credits. At least 15.6 percent had acted with crime partners (a figure which may considerably underestimate the true proportion of those who acted in concert with others), and in nearly half of these cases, the crime partner was another woman or women.

Notes

¹
On 1 September 1916, all women incarcerated in the women's unit of the Ohio Penitentiary were transferred to the new reformatory at Marysville; thereafter, the penitentiary's female unit was closed. However, two other women were mistakenly committed to the penitentiary, Convicts Nos. 45211 and 45212, both received in February of 1917. They were quickly transferred to Marysville, but as they were originally sentenced to the penitentiary and were in fact received there, their cases are included here and 1917 is used as the terminal date.

²
For information on the early efforts to establish a penitentiary in Ohio I used: Marvin E. Fornshell, The Historical and Illustrated Ohio Penitentiary (N.p.: n.p., 1907-1908 /copy at Ohio Historical Society, Columbus); Clara Belle Hicks, "The History of Penal Institutions in Ohio to 1850," Ohio State Archeological and Historical Society Publications Vol. XXXIII (1924):359-426; Orlando F. Lewis, The Development of American Prisons and Prison Customs, 1776-1845 (orig. 1922; repr. Montclair, N.J.: Patterson Smith, 1967); Ohio Historical Society, An Inventory of the Ohio Penitentiary Photograph Collection In the Ohio Historical Society (Ohio Historical Society manuscript processed by Arlene J. Peterson, June 1975):2-4; Jacob H. Studer, Columbus, Ohio: Its History, Resources, and Progress (Columbus: n.p., 1873); works cited

in notes 5 and 7, below; and various annual reports of the penitentiary. The prisoner data comes from Ohio Penitentiary, Criminal Records 1815-34 (Ohio State Archives, Series 1530):93, 141, 158.

³ Fornshell, The Historical and Illustrated Ohio Penitentiary:6; Lewis, The Development of American Prisons and Prison Customs, 1776-1845:261.

⁴ Lewis, The Development of American Prisons and Prison Customs, 1776-1845:262. As Lewis points out at 260, early prisons which held prisoners in large rooms rather than cell blocks resembled the old Walnut Street Jail in Philadelphia.

⁵ George H. Twiss, ed., "Journal of Cyrus P. Bradley," Ohio Archeological and Historical Publications Vol. XV (1906): 241.

⁶ Studer, Columbus, Ohio: Its History, Resources, and Progress:374.

⁷ Dorothea Lynde Dix, Remarks on Prisons and Prison Discipline in the United States (2d ed., orig. 1845; repr. Montclair, N.J.: Patterson Smith, 1967):48.

⁸ Ibid.:59.

⁹ For the dating of the women's wing I relied on Studer, Columbus, Ohio: Its History, Resources, and Progress:380. A picture of this women's wing and its relationship to the

penitentiary as a whole can be found in John P. Resch, "Ohio Adult Penal System, 1850-1900: A Study in the Failure of Institutional Reform," Ohio History 81 (Autumn 1972):249.

¹⁰ Dan J. Morgan, Historical Lights and Shadows of the Ohio State Penitentiary and Horrors of the Death Trap (orig. 1893; Columbus: Champlin Printing Company, 1895):91. According to Morgan, to be taken around the women's wing tourists had to pay 10¢ over and above the 25¢ fee it cost to tour the main penitentiary; they were, however, more than willing to pay the extra money, for the female department was second in popularity only to the execution chamber (pp. 12, 91).

¹¹ Studer, Columbus, Ohio: Its History, Resources, and Progress:374-376; Ohio Penitentiary [hereafter abbreviated OP], AR 1850:121 [epidemic], 133 [improvements].

¹² OP, AR 1880:14.

¹³ OP, AR 1880:26-27, AR 1890:316.

¹⁴ OP, AR 1900:51.

¹⁵ Ohio Governor, Verbatim Report of the Proceedings and the Testimony presented to The Joint Committee on Investigation of the Ohio Penitentiary, 1908 and Report of the Special Committee of the 77th General Assembly of Ohio Appointed to Investigate Penitentiary Buildings, Management and Convict Labor, Dec. 1908 (Ohio State Archives, Ser. 1590):42, 49, 53.

16 Resch, "Ohio Adult Penal System":236.

17 Ibid.:237-238.

18 OP, AR 1870:48, AR 1890:323-324, 327, 335; cf. OP, AR 1890:341, 348.

19 Ohio Penitentiary, By-laws, rules and regulations for the . . . Ohio penitentiary adopted . . . May 8th, 1884 . . . (Columbus:Ohio penitentiary print, 1884 /pam.7):13-14

20 OP, AR 1880:142-152. In the 1884 By-laws, the two female officers were listed last (p. 2).

21 Mrs. Sarah Maria Victor, The Life Story of Sarah M. Victor for Sixty Years. Convicted of Murdering Her Brother, Sentenced to be Hung, Had Sentence Commuted, Passed Nineteen Years in Prison, Yet is Innocent (Cleveland: Williams Publishing Co., 1887):323-324.

22 Hicks, "The History of Penal Institutions in Ohio to 1850":403 /first matron appointed 18467; Gerrish Barrett as quoted by Lewis, The Development of American Prisons and Prison Customs, 1776-1845:263; Dix, Remarks on Prisons:48; Victor, The Life Story:317.

23 Morgan, Historical Lights and Shadows:91; Victor, The Life Story:298; OP, AR 1880:91; Victor, The Life Story:324, 325. That Victor was released at all from solitary confinement may be interpreted as an act of leniency, however, for

her original sentence of death had been commuted to life in solitary confinement. She was pardoned after nineteen years in confinement.

24 OP, AR 1850:125, AR 1860:38, AR 1890:375 /9 of 24 women prisoners given chairs to cane7, AR 1912:418.

25 Morgan, Historical Lights and Shadows:113, 95.

26 Ibid:114-117.

27 Victor, The Life Story:307.

28 Fornshell, The Historical and Illustrated Ohio Penitentiary:125, 128.

29 The tables which follow are based on data derived from the prisoner registries of the Ohio Penitentiary. Data were collected on every female case received 1888 through 1917 (see note 1) with the exception of the period May 1910 through December 1911; no data were collected on cases received during the latter period due to lack of time.

30 POPULATION OF OHIO BY RACE, 1880-1920
IN THOUSANDS

	Total Population	White	Negro	Other	Percent Negro of Total Population
1920	5,759	5,572	186	1	3.2
1910	4,767	4,655	111	1	2.3
1900	4,158	4,060	97	*	2.3
1890	3,672	3,585	87	*	2.4
1880	3,198	3,118	80	*	2.5

*Less than 500.

(continued)

SOURCE: U.S. Department of Commerce, Bureau of the Census, Historical Statistics of the United States, Colonial Times to 1970. Part I (Washington, D.C., 1975):33.

31

For the 609 total cases, the results for prior occupation were as follows:

80.8%	reported a previous occupation
2.3%	reported "none"
16.9%	missing information cases
100.0%	

Therefore at least 80.8 percent of the women prisoners had been previously employed. Contrast this figure with statistics on the employment of women in general in Ohio during the decades in which these prisoners were committed:

NUMBER OF FEMALES ENGAGED IN GAINFUL OCCUPATIONS COMPARED WITH THE TOTAL FEMALE POPULATION 10 YEARS OF AGE AND OVER, OHIO 1880-1910

	Females 10 Years and Over	
	Total	Percent gainfully employed
1910	1,878,720	18.5
1900	1,626,326	15.1
1890	1,416,229	13.0
1880	1,189,932	9.5

SOURCE: U.S. Department of Commerce, Bureau of the Census, Thirteenth Census of the United States Taken in the Year 1910. Vol. IV. Population 1910. Occupation Statistics (Washington: Government Printing Office, 1914):37.

32

Sarah L. was Ohio Penitentiary No. 26050. The case of the woman whose sentence was longer than that of her brother-husband was No. 39353.

CHAPTER 10

THE OHIO REFORMATORY FOR WOMEN

In Ohio, pressure began to build early in the twentieth century for establishment of a reformatory for women. Several nationally known figures in the field of charities and correction helped create this pressure by calling on Ohio to found a reformatory institution for criminal women. Within the state, the Board of State Charities played a key role, aided by the warden of the Ohio Penitentiary. The final push which translated this public opinion into legislation came from a Special Legislative Committee and the governor.

The first public call for an Ohio women's reformatory seems to have come in 1907 from Amos Butler, a well-known social reformer, in the course of a speech to Ohio's annual Conference of Charities and Correction. Referring to "the scandals of our jails and sometimes of our State Prisons," evidently with sexual mistreatment of female inmates in mind, Butler called for "separate prisons for women prisoners." He urged Ohio to follow the example of Indiana, which had established the country's first separate women's prison in 1873, and of Massachusetts, which had shortly followed suit.¹

To others, Butler's recommendation suggested a way of handling overcrowding at the Ohio Girls' Industrial Home. Established in 1869 at Delaware, Ohio, the Girls' Industrial Home had a capacity of 400 but a population of nearly 500 in 1907, a figure which jumped another hundred the following year. The severe overcrowding at the Home was attributed, first, to a recent increase in the age of girls who could be committed and, second, to the institution's policy of "retaining girls for a long period."² The body ultimately

responsible for the Home, the Board of State Charities, realized that establishment of a women's reformatory could reduce the population of the Home. In its report of 1909, it proposed "a state reformatory for women to which the older girls could be committed," recommending that this move be coupled with reduction of "the age limit of commitment to the Girls' Industrial Home . . . to 16 years."³

The situation at another female institution also contributed to the perception that Ohio needed a reformatory for women. For many years female felons had been held in an annex of the Ohio Penitentiary (see Chapter 9). This unit was badly decayed and offered no opportunity for either expansion or rehabilitative programs. Reporting in 1909 on its inspections of the penitentiary, a Board of Lady Visitors noted that it had:

Found female side perfectly clean, but insufficient [in] cell room.

The last visit found 52 prisoners here, 9 of them sleeping in the corridor which, while it was unwise, was also unavoidable.

The Lady Visitors concluded by recommending to the Board of State Charities "That a separate prison farm be established, for women."⁴ With this recommendation the penitentiary's warden heartily concurred. "(T)he women's prison," he wrote in his report of 1910,

should be divorced from the prison proper and a healthful and suitable site selected in some convenient part of the state where an up-to-date prison could be built and conducted along reformatory lines. Its management should also be widely different from that of a prison in which men are confined. Women should be given greater liberties and a system of merit which cannot be granted under present conditions.

"Close proximity to a large body of male prisoners," the warden concluded, "is not conducive generally to a moral atmosphere."⁵

The Board of State Charities added these calls for removal of female felons from the penitentiary to its growing arsenal of arguments for the establishment of a reformatory for women. It did not wish to request mere expansion or duplication of the Girls' Industrial Home, but on the other hand it recognized that "There is not a sufficient number of women found guilty of felony to warrant the establishment of a separate institution for them." The solution, reasoned the Board, was to establish an institution for women intermediate between the Girls' Industrial Home and the purely penal women's unit at the penitentiary.⁶

At this important juncture, when establishment of a women's reformatory began to look like a good solution to several problems, another well known outsider helped further the reformatory cause. This was Katherine Bement Davis, superintendent of the progressive reformatory for women at Bedford Hills, New York, and at the time one of the nation's foremost leaders in prison reform. A speech written by Davis specifically for the occasion was read at the October, 1910, meeting of the Ohio Conference of Charities and Correction. Davis's address provided her audience with the ideological ammunition they needed, for she spelled out in detail rationales for reformative treatment of women ("It is the woman you should treat and not the crime"). Moreover, Davis gave conference attendants specific guidelines on how to proceed in establishing a woman's reformatory.⁷

Perhaps most important of all, Davis provided incentives for action by gently goading her Ohio listeners. After complimenting them on some of Ohio's progressive reforms in other areas, she went on to chide: "But in one respect you are lagging behind, and that is in what you are doing for your women who

transgress." Ohio had a reformatory for men, she pointed out (the Ohio State Reformatory at Mansfield had opened in 1896); was it possible that the state would provide less for its women? Indiana, Massachusetts, and New York were ahead of Ohio in respect to properly providing for their female offenders, and, Davis warned, unless Ohio acted quickly, yet other states would soon outstrip it:

New Jersey passed a law last winter to establish a state reformatory for women. Agitation is going on in Maine, Rhode Island, Connecticut, Michigan, Wisconsin and Iowa. It is in the air, and it is bound to come. Do not let the great State of Ohio, one of the richest and foremost states of the Union, lag behind.⁸

State officials responded quickly to Davis's challenge. A Special Legislative Committee on the Girls' Industrial Home reported to the governor in February of 1911 on the absolute necessity of establishing a woman's reformatory. According to the committee, there were already over 200 women who would form "the initial population in an intermediate penal institution for women, if such a one were to be established." Seventy-five of these would come from the Girls' Industrial Home (its "older and more vicious girls"). Another sixty women were currently being held at the Ohio Penitentiary, of whom "at least one-half are not of hopelessly criminal tendencies," i.e., good candidates for reform. A third group which could profit were presently being sent to city workhouses to serve terms so short that reformation was impossible. And, the committee concluded, there was a fourth group of criminal women whom judges did not institutionalize at all because there was no place but the workhouses to send them. All of these groups, according to the legislative committee, would benefit from the proposed reformatory. As for the costs, the committee waved these away with a typically Progressive sleight-of-hand: with

the establishment of an institution where women would actually be reformed, the number of criminal women burdening the state would dwindle to insignificance.⁹

The Governor agreed with this reasoning. Five days after receiving the Special Legislative Committee's report, he asked the legislature to establish a women's reformatory during its current session. "(T)he public welfare requires a reformatory for women," the governor explained, proposing an institution which, like the original female penal institution in Indiana, would hold both felons and misdemeanants, "keeping them entirely separate, but under a single management" As for that management, the governor declared that "There is no doubt that women should be put in charge" ¹⁰

Establishment

As if in response to Davis's appeal to state pride, the government of Ohio continued to move with speed on the matter of a women's reformatory. In May of 1911, little more than six months after Davis had presented her arguments, the governor signed legislation establishing the Ohio Reformatory for Women.

In its specification of the type of women who might be committed to the new institution, this legislation deviated from the pure reformatory model in several respects, specifically those pertaining to commitment age and conviction offense. Like the legislation of other states which established women's reformatories, that of Ohio set the minimum age for commitments at sixteen years. However, in contrast to those states which also set a maximum age beyond which commitments could not be received (typically thirty years), Ohio enabled its reformatory to accept women of any age over the minimum. Second, in contrast to legislation establishing female reformatories from which (at

least initially) felons were excluded, the Ohio law enabled the new reformatory to receive a mixture of felons, misdemeanants, and delinquents.¹¹

The legislation specified that the Ohio Reformatory for Women could receive three types of commitments:

- (1) transfers from the Ohio Penitentiary, including all women held there other than those awaiting execution;
- (2) girls over fourteen years held at the Girls' Industrial Home who were "incorrigible, or whose presence . . . seems to be seriously detrimental";
- (3) all females over sixteen found guilty of a felony, misdemeanor, or delinquency except those who had received a sentence shorter than thirty days or been sent to jail in default of payment of a fine. (Later, as we shall see, it did become possible to commit women unable to pay fines.)¹²

There was, then, considerable diversity in the type of offender who might be committed to the new institution. This diversity, as noted later, affected the institution's character and seems to have been one of the factors which prevented it from becoming, in any true sense, a reformatory.

The establishing legislation also created a board of commissioners to select a site for the new institution and direct its construction. The commissioners located the reformatory one mile southwest of Marysville, a town in Union County. There, roughly in the center of the state, they purchased 257 acres. Because an entirely new plant had to be constructed, it was not until five years after the institution was established that it was ready to receive inmates. At that time--1 September 1916--the first twenty-nine inmates were transferred from the Ohio Penitentiary.

The central administration building, the first part of the plant to be completed, was the reformatory's only structure of architectural distinction. Garrett and MacCormick, writing in 1929, recommended this as "an unusually attractive building" and "one of the best buildings in the country among the penal institutions for women." They described it as "a two-story stone structure built in the form of a hollow square with a corridor running across the middle making two enclosed courts."¹³ In this building were located the hospital and administrative offices; additionally, women were housed there at least through 1930, often in profusion. The main living quarters, however, were the cottages, self-contained units which held about fifty inmates each and included their own kitchens and dining rooms. (Cottage assignments were made first on the basis of race and then, when possible, offense severity.) In addition to the main building and cottages, the plant included, by 1930, an assembly hall, industrial building, and superintendent's house. It did not, however, include a wall or fence, an omission which led to frequent escapes in early years.

Administration and Personnel

In Ohio as elsewhere, ultimate authority for management of the women's reformatory lay with the state's welfare board, in this case known as the Board of Administration. Unlike other states, however, Ohio did not provide for an institutional board of managers which would be intermediate between the state welfare bureaucracy and the institution's superintendent. (The original legislation had established such an intermediate body, a board of trustees appointed by the governor, to control and manage the reformatory; but this provision was deleted by an amendment in 1913, before the institution opened.) Thus it was left to the Board of Administration itself to "select and desig-

nate a suitable woman as superintendent," a duty it fulfilled in 1916 by appointing Louise M. Mittendorf as the reformatory's first superintendent.¹⁴

According to the establishing legislation, the reformatory's staff members were, when possible, to be women. At first, while there were still few matrons, only about 50 percent of the employees were female; later the proportion of women rose. Neither staff nor superintendent received much recognition from the state for their work. According to the Garrett and MacCormick report, in 1928 the matrons were working twelve-hour shifts with only two days off each month. Some lived in rooms designed for inmates.¹⁵ Moreover, the salaries paid by the reformatory were inadequate--"disgracefully low," according to Garrett and MacCormick, who observed that the Marysville superintendent

receives less than the superintendent of the Pennsylvania Reformatory for Women, an institution about a fifth as large as Marysville. The matrons [at Marysville] are paid only \$45 to \$55 a month and other salaries are correspondingly meagre. When one has the good fortune to get competent officials at such salaries their morale is inevitably affected by the low estimate that is apparently put on their worth¹⁶

From the start, Marysville was a fairly unambitious institution, lacking the dedication and zeal of other women's reformatories. Low salaries and long hours may well have contributed to this situation (though they did not in other new women's reformatories, such as that of New Jersey, where the staff were also overworked and underpaid but morale was high). Almost certainly blocking the development of enthusiasm and innovative methods was the fact that Mittendorf and her successor, Marguerite Kelley Reilley, served very long terms as superintendent. Furthermore, there was no institutional board of managers to directly supervise the superintendent and serve, when necessary, as a check on her power or a goad to change.

Program

Few reformatories for women were begun with adequate resources, but while some nonetheless managed to establish innovative programs (again New Jersey provides an example), the Ohio Reformatory for Women evidently expended little effort on approximating reformatory ideals. For instance, it made few efforts to educate inmates despite the fact that mental training had long been a key plank in the reformatory platform. To be sure, in 1925 the legislature did authorize establishment of "educational and vocational schools"; several years later, however, Garrett and MacCormick reported that "There is no academic school work" and pointed out that "An appropriation of \$50,000 for a school building was never used." No appropriation at all had been made for reading materials.¹⁷

Vocational training, also an important theme in reformatory ideology, was similarly slighted at the Ohio Reformatory for Women. There being no real industries, training centered on a series of shops where rag rugs, clothing, bedding, and art work were produced, and on institutional maintenance. During the influenza epidemic of 1918, some prisoners were sent to other institutions to serve as nurses, and late the next year thirty-five women were sent to nearby homes to work as live-in domestic servants. In addition to freeing beds at the institution and solving "the servant problem in 35 homes . . . , at least temporarily," the latter expedient provided inmates with fulltime work and wages; but it appears to have soon disappeared as an element in the reformatory's program.¹⁸

In one respect the Ohio Reformatory for Women does seem to have been as energetic as its sister institutions--in the attention it gave, during the 1920s, to detection and cure of venereal and other sex-related disease. The annual reports for these years record thousands of Wassermann tests and

hundreds of injections of salvarsan (an arsenic compound thought to cure syphilis). In other respects, however, the institution seems not to have been greatly concerned about inmate health. There was, for instance, no provision for exercise during the winter months; and prisoners' beds continued to be located in unventilated basement corridors.

For the most part, then, the Ohio Reformatory for Women was a reformatory in name more than practice. "In comparison with the reformatories for women in Pennsylvania, New York, New Jersey and Massachusetts," concluded Garrett and MacCormick, "it must be rated low by any test designed to estimate the effectiveness of such institutions."¹⁹

Sentencing

As noted earlier, the reformatory could receive three types of offenders: felons (at first transfers from the penitentiary, later commitments direct from the courts); misdemeanants with terms longer than thirty days; and "in-corrigible" girls over fourteen years transferred from the Industrial Home. Terms for all three were to be "general, and not fixed or limited in their duration," i.e., indeterminate, in the case of felons the minimum and maximum being set by the law pertaining to the specific offense. The misdemeanant and delinquents received a more typically "reformatory" type of sentence: if they were first commitments they might be held for a maximum of three years but paroled after two months; second and third commitments also had a maximum term of three years, but their minimums were four and six months respectively.²⁰ During the institution's first years of operation, parole decisions were made by the Ohio Board of Clemency; after 1921, parole was granted by the new Department of Public Welfare.²¹

Theoretically, parole was a reward for good behavior, the result of a judgment that the prisoner was enough improved, morally, to be returned to the community. But in practice, particularly in the case of misdemeanants, other factors complicated the parole decision. One was laws which set minimum and maximum terms for specific misdemeanors, terms which sometimes differed from the institution's range of from two, four, or six months to three years. For example, an act of 1919 specified a punishment for second degree prostitution of "not more than one year." To judge from the prisoner registries, in at least some instances it was the laws governing specific misdemeanors, rather than the more general law governing sentence of misdemeanants to the reformatory, which were used to determine release dates. Complicating matters still further was the fact that women sent to the reformatory because they could not pay fines were entitled to "receive credit . . . at the rate of one dollar and fifty cents (\$1.50) per day for each day's imprisonment." At least in the case of misdemeanants, then, the decision as to when a prisoner should be paroled involved a number of considerations, some of them potentially conflicting.²²

A number of changes were made over time in the institution's governing legislation, changes which generally had the effect of narrowing the range of offenders who could be sentenced to the reformatory. An act of 1925, for example, prohibited commitment of women convicted of violating municipal ordinances. The most drastic change came when, in 1929, a law was passed excluding all but felons over sixteen years and the incorrigibles transferred from the Industrial School. (At this point the population lost its marked heterogeneity, and average sentence length and time-served probably increased considerably.) A less drastic change of 1943 required that women be sentenced to the Ohio Reformatory for Women only "for the same statutory penalties as

are male persons now sentenced to the Ohio penitentiary and the Ohio state reformatory." The same act also restricted the freedom of the Girls' Industrial School to transfer difficult inmates, limiting such transfers to girls over sixteen and requiring written approval by the state department of public welfare. By that point, Marysville inmates had little in common with the type of offender at whom the women's reformatory movement had originally been aimed; rather, they resembled prisoners of custodial institutions.²³

The modifications of the sentencing provisions affected the size as well as the nature of the Marysville population. By the end of its fifth year of operation, the reformatory's population was about 220; during the next seven years, it more than doubled, leading Garrett and MacCormick to remark, in 1928, that Marysville was "the largest institution for women in the country" with 475 inmates. This, of course, was just before the legislation which excluded all but felons. Thereafter the population shrank, returning in 1936 to about 220, its size fifteen years earlier.²⁴

The Prisoners

From data in the prisoner registries it is possible to piece together a picture of the typical Marysville inmate.²⁵

Race

Beginning with race, we find that nearly one-third of the women received through 1943 were black (Table 10:1).

TABLE 10:1

RACE OF SAMPLE OF PRISONERS COMMITTED TO THE OHIO REFORMATORY FOR WOMEN 1916 THROUGH 1943

	<u>Number</u>	<u>Percent</u>
Black	255	32.9
White	518	66.9
Other	1	.1
Totals	<u>774</u>	<u>99.9*</u>

* Does not add to 100 percent due to rounding error.

For most of the period covered by Table 10.1, blacks comprised less than 5 percent of the population of Ohio as a whole (Table 10:2).

TABLE 10:2

POPULATION OF OHIO BY RACE, 1910 THROUGH 1930, IN THOUSANDS

	<u>Total population</u>	<u>White</u>	<u>Negro</u>	<u>Percent Negro</u>
1910	4,767	4,655	111	2.3
1920	5,759	5,572	186	3.2
1930	6,647	6,335	309	4.6

SOURCE: Derived from U.S. Department of Commerce, Bureau of the Census, Historical Statistics of the United States, Colonial Times to 1970, Part 1 (Washington, D.C.: USGPO, 1975):33.

Blacks were, then, overrepresented in the population of the women's prison.

Age

As might be predicted from the fact that the reformatory received such a variety of offenders, ranging from incorrigible delinquents to women convicted of murder, the age range of prisoners at time of commitment also varied great-

ly, extending in the sample from 14 through 67 years. Table 10:3 indicates the frequency with which inmates fell into various age groupings.

TABLE 10:3

AGE AT COMMITMENT OF SAMPLE OF PRISONERS COMMITTED TO THE OHIO REFORMATORY FOR WOMEN 1916 THROUGH 1943

	<u>Number</u>	<u>Percent</u>
12-15 years	2	.3
16-20 "	125	16.1
21-30 "	360	46.4
31-40 "	190	24.5
41-50 "	74	9.5
51-96 "	<u>25</u>	<u>3.2</u>
	776	100.0

For sampled inmates, the mean age at the time of commitment was 29 years.

Religion, Place of Birth, Marital Status, and Prior Occupation

For information on prisoners' religion, place of birth, marital status, and prior occupation, we must rely on the reformatory's annual reports because such data were not recorded in the prisoner registries. According to annual reports issued through 1930, between 60 and 80 percent of the prisoners reported themselves to be Protestants. Most of the others reported themselves as Catholics, with a very few each year identifying themselves as belonging to some other religion or as unaffiliated. Again according to annual reports through 1930, most of these inmates were "American," the proportion of foreign-born ranging from about 10 to 15 percent. (Unfortunately, the reports do not give more specific information on place of birth.) The annual reports from the institution's first decade indicate that, at the time of admission, the majority of prisoners were married.²⁶ Table 10:4 shows the proportions of inmates who fell into the main occupational categories for selected years.

TABLE 10:4

PRIOR OCCUPATION OF PRISONERS COMMITTED TO THE OHIO REFORMATORY FOR WOMEN IN 1917, 1921, 1926, AND 1930 FOR EACH YEAR'S THREE MOST FREQUENT OCCUPATIONAL CATEGORIES

	<u>Number received</u>	<u>Three most frequent occupational categories</u>	<u>Number (percent)</u>	
1917	199 (100%)	Domestics and housewives	128	(64.3)
		Prostitutes	14	(7.0)
		Factory workers	12	(6.0)
			<u>154</u>	<u>(77.3)</u>
1921	185 (100%)	Domestics and housewives	89	(48.1)
		Factory workers	21	(11.4)
		Waitresses	17	(9.2)
			<u>127</u>	<u>(68.6)</u>
1926	568 (100%)	Domestics and housewives	285	(50.2)
		Waitresses	110	(19.4)
		Factory workers	43	(7.6)
			<u>438</u>	<u>(77.1)</u>
1930	129(100%)	Domestics and housewives	65	(50.4)
		Waitresses	9	(7.0)
		Clerks	6	(4.6)
			<u>80</u>	<u>(62.0)</u>

SOURCES: Ohio Reformatory for Women, AR 1917:299, AR 1921:417, AR 1926:375, AR 1930:611.

NOTES: Years were selected for the table as follows: 1917 was chosen because it was the first year of the institution's operation. The intention was to use every fifth year thereafter, but as some reports were not available it was necessary to use the fourth year in two cases. The occupational categories are those used in the annual reports.

Conviction Offenses

Because misdemeanants and delinquents could be committed to the reformatory, it is not surprising to find that many conviction offenses were public order crimes. In fact, more than half of the Marysville inmates sampled had been convicted of public order offenses, as Table 10:5 indicates.

TABLE 10:5
 OFFENSE TYPE FOR SAMPLE OF PRISONERS COMMITTED TO OHIO
 REFORMATORY FOR WOMEN 1916 THROUGH 1943

	<u>Number</u>	<u>Percent</u>
Violent	173	22.2
Property	178	22.8
Public Order	413	53.0
Other	15	1.9
	<u>779</u>	<u>99.9*</u>

*Does not add to 100 percent due to rounding error.

Breaking down the Public Order offense category, we find that two percent or more of the inmates in the sample were convicted of the following public order crimes: Fornication (2.3 percent of the sample), Neglecting one's children (5.5 percent), Prostitution (8.1 percent), Contributing to delinquency (12.4 percent), and both Possession of liquor and Violation of liquor law (5.4 percent and 7.4 percent, respectively).

For the Ohio Reformatory as for other prisons examined in depth for this study, no systematic attempt was made to compare data on women with similar data on males. However, because such high proportions of women committed to Marysville were convicted of sex and status-type offenses, an unsystematic comparison was made with data in prisoner registries for the comparable men's institution, the Ohio State Reformatory at Mansfield, to see if they were in any way similar. These data covered several years in the mid-'teens. Men, it was found, were usually not sent to the Mansfield reformatory for sex and status-type offenses but rather for property crimes and, to a lesser extent, for violent crimes such as rape and manslaughter. No cases were observed of men convicted on charges like Fornication and Contributing to delinquency. The comparison suggests that Ohio women in the early twentieth century were

incarcerated in the state's reformatory for less serious offenses than their male counterparts.²⁷

Table 10:6 compares conviction offenses for blacks and whites. In addition, it makes this comparison by period of commitment.²⁸ For the first period, 1912 to 1922, blacks comprised about one-quarter of the prison's population. Yet blacks had been convicted of nearly 70 percent of all the violent crimes for which women were held in this period. More than one-third of the black women of this period were serving time for violent crimes, in contrast to 5.3 percent of the white women. Blacks also accounted for a disproportionate number of property offenders (almost 45 percent). On the other hand, white women were committed disproportionately for public order offenses, almost 93 percent of such convictions applying to whites.

The picture changes somewhat during the second period, 1926 to 1934. Blacks were still convicted of violent crime more than they "should" have been, given their representation in the prison population (they were convicted of almost 59 percent of the violent crime while comprising just over a third of the population). However, it was now whites who were committing more property crime than they "should" have been (convicted of 80.5 percent of the property crime while comprising only 66 percent of the population). Moreover, while whites were still receiving the bulk of convictions for public order crimes, nearly 30 percent of such convictions now applied to blacks as well. In other words, a comparison of the two periods suggests that over time the conviction offenses of blacks decreased in seriousness while those of whites became more serious.

TABLE 10:6

CONVICTION OFFENSE BY RACE AND PERIOD FOR SAMPLE OF WOMEN COMMITTED
TO THE OHIO REFORMATORY FOR WOMEN 1912 TO 1934²⁹

	<u>Black</u>	<u>White</u>	<u>Row total</u> (percent)	<u>Totals committed</u> (percent)
1912 to 1922				
Violent	16	7	23 (13.1)	
Row percent	69.6	30.4		
Column percent	35.6	5.3		
Property	22	27	49 (27.8)	
Row percent	44.9	55.1		
Column percent	48.9	20.6		
Public order	7	91	98 (55.7)	
Row percent	7.1	92.9		
Column percent	15.6	69.5		
Other	--	6	6 (3.4)	
Row percent	--	100.0		
Column percent	--	4.6		
Column total and percent of grand total	45 (25.6)	131 (74.4)		176 (100.0)
1926 to 1934				
Violent	53	37	90 (20.3)	
Row percent	58.9	41.1		
Column percent	34.9	12.7		
Property	15	62	77 (17.4)	
Row percent	19.5	80.5		
Column percent	9.9	21.3		
Public order	80	190	270 (60.9)	
Row percent	29.6	70.4		
Column percent	52.6	56.3		
Other	4	2	6 (1.4)	
Row percent	66.7	33.3		
Column percent	2.6	.7		
Column total and percent of grand total	152 (34.3)	291 (65.7)		443 (100.0)

Time Served

The first prisoners to arrive at the reformatory, it will be recalled, were transfers from the penitentiary. Thereafter, nearly all reformatory women were committed directly by the courts. The length of time they remained at the institution varied enormously since sentences ranged from two months to life. According to a calculation based on 606 sample cases committed through 1934, the average time served was 25.3 months--more than two years. It is puzzling to find that, when this is broken down by period, there is not much difference in average time served:

1912-1922	24.05 months mean time served (107 cases)
1926-1934	25.76 months mean time served (436 cases)

We had expected a greater difference due to the 1929 change in the commitment law which excluded all but felons. Part of the explanation for the closeness of the two averages may lie with an institutional pattern between 1926 and 1929 of receiving a great many inebriates and releasing them as soon as they had paid (or worked off) a fine. The 1926 annual report, at any rate, records a very high number of women received that fiscal year (568), reports that 256 (45 percent) of them were convicted of Violation of the liquor law, and also reports that 119 (21 percent) achieved release by payment of fine. In other words, a rapid turnover between 1926 and 1929 may offset longer sentences served thereafter, with the two sub-periods (1926-1929 and 1930-1934) combining to produce an average time-served of a bit more than three years--not far different from what prisoners in the 1912-1922 period had served.

To summarize: The typical inmate of the Ohio Reformatory for Women was white, between 21 and 30 years old at commitment, and Protestant. She had been born in the United States, was married, and before commitment had worked

in a home, either her own as a housewife or that of another as a domestic servant. She was likely to have been convicted of a public order offense and sent to the reformatory directly from court. At the reformatory she could be held for a maximum of three years if convicted of a misdemeanor, longer for a felony. An observer at the reformatory in its early years would probably have noted a contrast between the majority group of white women, generally serving time for minor offenses, and the smaller group of black women, generally serving time for felonies.

Ohio established its reformatory for women during the Progressive period, inspired by the period's ideology of reform and by the prospect that other institutions (the penitentiary, the Girls' Industrial Home) could benefit from the founding of a new female institution. For a variety of reasons, however, the reformatory never made much effort to reform its inmates. Rather, it quickly became custodial in its aims and tone, not a great deal different from the old wing for women at the penitentiary except that it was more spacious. Ironically, within thirteen years of its establishment, it became a prison for felons only--just like the former women's unit at the penitentiary which it had replaced. At that point female misdemeanants went back to the jails and, except in unusual cases, difficult female delinquents were retained at the Girls' Industrial Home. Little had changed except 260 acres in Marysville, which now held a penal institution.

Notes

¹Amos W. Butler, "Recent Developments in the Treatment of Criminals," Ohio Board of State Charities, Bulletin 14(2) (March 1908):72.

²Ohio Board of State Charities, BR 1909, in Ohio Board of State Charities, Bulletin 16(3a) (November 1910):108. Also see Bulletin 14(1) (1908):40-41.

³Ohio Board of State Charities, BR 1909:108.

⁴Ibid.:39.

⁵As quoted in Ohio Penitentiary, AR 1912:403.

⁶Ohio Board of State Charities, BR 1909:20.

⁷Katherine Bement Davis, "A Reformatory for Women," Ohio Board of State Charities, Bulletin 17(2) (July 1911):43-48. Davis appears not to have presented this paper in person.

⁸Ibid.:44, 48.

⁹Ohio, Report of Special Legislative Committee on the Girls' Industrial Home to the Governor, 1 February 1911, reprinted in Ohio Board of State Charities, Bulletin 17(1) (February 1911):27-35, esp. 33-34.

¹⁰Ohio Executive Department, "Special Message by Governor to the General Assembly," 6 February 1911, reprinted in Ohio Board of State Charities, Bulletin 17(1) (February 1911):35-36.

¹¹Ohio, Legislative Acts 1911, Sen. Bill No. 140, sec. 2. The mixed population had been anticipated from the start. Katherine B. Davis, in her 1910 address, had explicitly sought to reassure Ohioans that it was feasible to hold both felons and misdemeanants under one institutional roof, a practice which, she reported, was successful at New York's women's reformatory at Bedford.

¹²Ibid. On the change which later made it possible to commit women who could not pay fines, see infra n. 22.

¹³Paul W. Garrett and Austin H. MacCormick, eds., Handbook of American Prisons and Reformatories (New York: National Society of Penal Information, 1929):769.

¹⁴Ohio, Legislative Acts 1911, Sen. Bill No. 140, secs. 8, 10 [original legislation], Legislative Acts 1913, Sen. Bill No. 11 [amendment], Legislative Acts of Special Session begun July 20, 1914, House Bill No. 150, sec. 2148-4 ["select and designate"]. The reformatory's annual reports through 1921 appeared in the annual reports of the Ohio Board of Administration; thereafter the series appeared in the reports of the new Ohio Department of Public Welfare, which absorbed the Board of Administration.

Mittendorf had previously held a number of social service positions, including clerk of the Humane Society, head of public relief in Dayton, and probation officer in a juvenile court. The experience which most qualified her for the new position, however, was a period as matron of the Dayton Workhouse. See Ohio Reformatory for Women (ORW), AR 1920:365.

¹⁵Garrett and MacCormick, Handbook:770; ORW, AR 1930:602 [requesting quarters "for the school teachers and for several of our matrons who now occupy inmates' rooms"].

¹⁶Garrett and MacCormick, Handbook:775.

¹⁷Ohio, Laws of 1925, House Bill No. 358; Garrett and MacCormick, Handbook:773.

¹⁸ORW, AR 1919:318.

¹⁹Garrett and MacCormick, Handbook:774.

²⁰Ohio, Legislative Acts 1911, Sen. Bill No. 140, secs. 11, 14-15.

²¹In 1921 the Board of Clemency was replaced by a Board of Pardon and Parole within the new Department of Public Welfare (DPW). Apparently, the Board of Clemency was reinstated in 1923. In 1925 a Division of Probation and Parole was again created within the DPW, but the Board of Clemency lived on until it was replaced, in 1931, by the Ohio Board of Parole. We had hoped that the prisoner registries would help clarify how the parole decision was made, particularly in the case of misdemeanants. These documents, however, only made the matter more obscure (evidently the prison clerks themselves were often confused as to how to estimate release dates for misdemeanants). Nor did we locate archival or legal documents which clearly stated which body was responsible for granting parole at various times.

²²Ohio, Laws of 1919, Part I, House Bill No. 350, sec. 13031-17(b); Ohio, Legislative Acts 1925, House Bill No. 236, sec. 2148-12. The original legislation (Legislative Acts 1911, Sen. Bill 140, sec. 2) had excluded from the reformatory women jailed in default of payment of fines, and this clause was repeated in the act of 1925 (House Bill No. 236, sec. 2148-7). However, the latter also made it possible (sec. 2148-12) for a woman to be sent to Marysville for default of payment of fine if the default would cause her to be imprisoned for thirty days or more and if she were to received the \$1.50 credit for each day of imprisonment.

²³Ohio, Legislative Acts 1925, House Bill No. 236, sec. 2148-1, Laws of 1929, House Bill No. 234, sec. 2148-1, Laws of 1943-44, House Bill No. 358, sec. 2148-5 and 8.

²⁴ORW, AR 1921:413; Garrett and MacCormick, Handbook:774; Ohio Department of Public Welfare, AR 1936:19.

²⁵The source of these data is the two Registers of Prisoners held by the Ohio State Archives (Ohio Reformatory for Women, Series No. 1677). The sample

began with the first prisoners received at the reformatory (some of whom had been committed several years earlier to the penitentiary) and used every fifth case. No data were collected on cases received 1922 through 1925, but sampling began again with January, 1926 and continued through cases received in April, 1943, i.e., to the end of the second volume. The total number of cases sampled was 780, but because some data were missing, all cases could not be used for every computation. Furthermore, to make some tables comparable with those displayed elsewhere in this reports, sometimes 1934 was used as the cut-off point; in these instances, the total possible number of cases was 624.

²⁶Data on marital status in later reports is too confusing to be useful. Because both the quantity and quality of data fall off in the later reports, I have in several instances had to restrict reporting to the years before 1931.

²⁷Differential sentencing in the early years is also suggested by the law of 1943 which required that henceforth reformatory women be held and released according to the same rules used at the reformatory for men.

Males were sent to the reformatory at Mansfield for sex and family related crimes; the search turned up cases of bigamy, transporting a female for immoral purposes, and non-support. Moreover, some Mansfield cases had been convicted of Juvenile Delinquency. In the latter instances, however, the cases were those of males under 18 who had, in fact, committed felonies (breaking and entering, carrying a concealed weapon, stealing a motorcycle, pocketbook snatching). The point made in the text still holds: males simply weren't sent to the state reformatory for the minor offenses for which some women were sent to Marysville.

²⁸Marysville did not open until 1916, yet 1912 is used as the initial date for the first period (1912-1922) in Table 10:6, for two reasons. First, use of 1912 as the starting point makes this table comparable with those

presented elsewhere in this study. Second, some Marysville women were in fact committed before the reformatory opened, having originally been received at the penitentiary. The first case in the sample was committed in May 1913.

²⁹See note 28.

PART IV
SUMMARY OF THE FINDINGS

CHAPTER 11

CONCLUSION

This chapter draws together the findings of the investigation of the origins and development of the women's prison system. First it provides a summary of the findings on regional developments in order to give an overview of the development of the women's prison system in the country as a whole. Next, it pulls together the findings on the problems associated with the two traditional models of women's prisons, those of the custodial and reformatory types; identifies ways in which these problems continue to affect women's prisons today; and assesses the potential of the newly-evolved third model, that of the modern campus type, to break with the problems of the past. Last, it points to ways in which future research might profitably build upon the results of this study.

Regional Differences

The women's prison system of the Northeast, moreso than that of any other region, was shaped by the reformatory movement. The goal of the women's reformatory movement--removal of females from custodial prisons to separate, independent institutions run by other women and organized to rehabilitate--influenced the design of penal institutions for women in nearly every state of the region. While it is true that a few institutions of the custodial type were also established in the Northeast, including the first--the Mount Pleasant Female Prison founded at Ossining, New York, in 1835--none of these

survived the 1930s.¹ Every one of the region's current prisons for women was affected by the reformatory movement to some extent, some of them radically.

The reformatory movement's new approaches to the treatment of criminal women were in fact first implemented in the North Central region rather than the Northeast; however, the nature of what was to become the ideal women's reformatory was by and large worked out in the three reformatories opened in the Northeast in the late nineteenth century. These reformatories--at Sherborn, Massachusetts, and at Hudson and Albion in New York--were highly experimental institutions which took increasingly bold steps to break with older prison traditions and develop the entirely new, reformatory model. The two New York State institutions in particular helped define reformatory ideals: they were the first to use the cottage plan for the incarceration of adult women; the first to consistently use the type of indeterminate sentence which became associated with the "pure" reformatory;² and the first to exclude older women from their populations. Along with the Massachusetts reformatory, moreover, they developed the program of domestic training, remedial schooling, and "refined" leisure activities which became a hallmark of the reformatory plan. These achievements were, in large part, the work of the women reformers who founded and first administered these institutions.

The Northeast not only developed the reformatory model; it was also more successful than other regions in excluding elements of custodialism from both the design of individual prisons and its women's prison system as a whole. Only two of the northeastern reformatories (those of Vermont and Rhode Island) seriously compromised reformatory ideals in their architecture, sentences, and/or types of inmate received. Moreover, by 1933 all northeastern states except New Hampshire (which has never established a women's prison) had founded reformatories, and all the region's custodial prisons for women had

been closed. The almost complete success of the women's reformatory movement in the Northeast helps explain why no women's prison of the modern campus type has been established in this region in recent times: by the 1930s every state in the area except New Hampshire had a reformatory-type prison for women, and thus there was no vacuum which might be filled by an institution of another type.

The development of the women's prison system of the North Central region was also heavily influenced by the reformatory movement. North Central states played less of a leadership role in the movement in the late nineteenth and early twentieth centuries; earlier, however--in the late 1860s--several of them did much to pave the way for the successes which followed. At the House of Shelter operated in conjunction with the Detroit House of Correction between 1868 and 1874, Emma Hall and Zebulon Brockway pioneered in such radical innovations as indeterminate sentencing, prisoner classification into "grades," and sex-specific treatment of female prisoners, including efforts to create a rehabilitative context of "family" life. And the Reformatory Institution established in Indianapolis in 1869 by Rhoda Coffin and her associates was the first reformatory for adults in the country, an institution not only completely independent from an institution for men but also run by a predominantly female staff. Even more than the House of Shelter, the Reformatory Institution helped feminize reformatory discipline through its stress on familial treatment, domestic training, and moral reform.

Early in the twentieth century, the North Central states embarked upon an intense period of reformatory-building: between 1916 and 1930, seven reformatories were opened in the region. In the process of pushing legislatures to found such institutions, North Central lobbyists pointed to the example of reformatories already founded in the (by now) more progressive Northeast; in

some cases, they even brought in northeastern experts to support their lobbying efforts. The reformatories which they managed to establish were, however, more custodial in nature than northeastern counterparts. On the whole, these institutions provided weaker programs; they were characterized by a relative absence of the "pure" reformatory sentence; only one excluded felons and only one placed an upper limit on the age of women who might be received; and several (most notably the overcrowded, unambitious institution at Marysville, Ohio) made but feeble efforts to achieve reformatory aims.

Also characteristic of reformatories of the North Central region was their heavy emphasis on the treatment and cure of venereal disease. Alarm about the potential of prostitutes to infect society both physically and morally figured prominently in the arguments put forth by the region's reformatory lobbyists. Moreover, in four North Central reformatories, particularly those of Kansas and Nebraska, treatment of venereal disease constituted a major element of the program. Women could be sentenced to such institutions merely because they were infected, and in some cases release was predicated on cure.

There is today more variety in type of women's prison in the North Central region than in the Northeast. The women's prison system of the latter, as just noted, consists wholly of institutions which began as reformatories. But that of the North Central region includes one women's prison (that of Missouri) which began as a custodial institution. In addition, one prison of the modern campus type has recently been founded in the region, Michigan's Huron Valley Women's Facility. Michigan had no separate prison for women until Huron Valley was established in the 1970s; thus there was a vacuum which could be filled by a women's prison of this new type.

The most striking characteristics of the southern women's prison system are its relative lack of institutions which began as reformatories and, concomitantly, its dominance by institutions of the custodial type. In many other ways, too, women's prisons of the South differ from those of the Northeast and North Central regions. They did not begin to be established until a good deal later, the first (Texas's Goree Unit) not being founded till 1910; on the other hand, many more women's prisons were built in the South in the years after 1925. Most southern women's prisons, unlike those of other regions, originated as farm units or as "split-offs" from previously established prisons. Fewer, moreover, were legislatively established, a factor which contributed to their frequent relocation. In interior design many employed the dormitory style of housing rather than the cell; this phenomenon helps explain their generally very poor quality of care. Southern women's prisons were more likely than those of the North to have male administrators; furthermore, they tended to hold larger proportions of blacks and to discriminate even more strongly against black women than did prisons of other regions.

The South was not entirely unaffected by the reformatory movement, for four institutions of this type were established in the region. The southern reformatory movement, however, was characterized by a lesser degree of activism on the part of indigenous women's groups. (In fact, in the case of Arkansas, the reformatory was established mainly through the work of Martha P. Falconer, a visitor from the Northeast.) Southern women's reformatories were less likely than those to the North to be entirely separate from institutions for men; only two of the four conformed to the cottage plan; none placed an upper limit on the age of women who might be received; and only one (that of North Carolina) excluded felons. Their programs, furthermore, were notably thin. Significantly, the two which most closely resembled northern counter-

parts (those of Arkansas and North Carolina) were eventually closed. Thus the women's reformatory movement was not only less extensive in the South; it also produced but weak institutions in those states where it did succeed.

On the other hand, in recent years at least four women's prisons of the modern campus type have been established in southern states: those opened at St. Gabriel, Louisiana, in 1961; at Nashville in 1965; at Gatesville, Texas, in 1975; and at Hardwick, Georgia, in 1976. There may, in fact, be more prisons of this type in the South; limitations in our data sources made it impossible to determine the exact nature of some of the recently established institutions.³

The women's prison system of the West began to develop late--even later than that of the South: until the mid-1960s, the region had only one independent prison for women, that of California. In addition, the West was even less affected than the South by the reformatory movement. Only the California institution was designed along reformatory lines. Even it excluded misdemeanants, the traditional reformatory population, from the time it was firmly established; and it was, moreover, eventually abandoned as an institution for women.

There is considerable variation in the type of provision for women prisoners which can be found in western states today. Three of these still had no independent prison for women as of the late 1970s. Several operated women's prisons which had begun as purely custodial institutions, other prisons which departed somewhat from the custodial model. And at the other extreme, Washington's Purdy Treatment Center is the leading example of the modern campus type of prison for women.⁴

As noted in the Introduction, when researchers pay any attention at all to women's prisons, they usually focus on those of the reformatory type. This

has been true historically, and it holds for recent works as well. The almost exclusive focus on the reformatory model has seriously distorted our understanding of the nature and development of the women's prison system. It has led to neglect of prisons which conformed to other models and of women's prisons outside the Northeast and North Central regions. Furthermore, it helps perpetuate the stereotype of "the" women's prison as a feminized institution. One of the most important findings of this study is that women's prisons vary greatly by type according to region. One of the main implications is that the reformatories of the Northeast and North Central regions should no longer be considered typical of all prisons for women.

Another important finding of the study is that the development of the women's prison system differed markedly from region to region. The women's prison system of the Northeast began to develop an entire century earlier than that of the West. Moreover, it evolved fairly steadily from the custodial to the reformatory stage. Tennessee and several other southern states, on the other hand, entirely skipped the reformatory stage, moving directly from custodialism to use of the modern campus model for their first independent prison for women. Table 1:1 presented an overview of the development of the women's prison system as a whole. As a number of chapters of this report have made clear, however, the generalizations of Table 1:1 do not hold if we break the national picture down by region.

What were some of the sources of these regional differences? We can identify at least three. First and most obviously, the regions of the country did not develop simultaneously; the points in time by which they were sufficiently populated to "require" or support a prison for women varied, and these variations influenced selection of model. For example, a state preparing to establish its first women's prison in 1950 would have been unlikely to choose

the reformatory model, which went out of fashion decades earlier. Second, the women's reformatory movement varied in strength from region to region. Where it was vigorous, states founded reformatories; but in those regions where middle-class women did not take an active part in prison reform, states continued to hold women in custodial units. Third, there are regional "styles" which help determine the general nature of institutions, including prisons for women, in an area. The South developed prison farms, for example; other regions did not. These styles were influenced by factors such as climate and racial composition of the prison population: a report of 1908 rejected a proposal for development of a prison farm in Ohio on the grounds that "while a State farm might be practical in the South where 85% of the prison population is colored, and where there is no hesitancy about using fire-arms in case any should attempt to escape, and where the winters are mild so that the prisoners can be worked out of doors all winter, . . . in the North a prison farm for felons would not be practicable."⁵ Whatever the style in question, and whatever its causes, these characteristics of a region's prison system as a whole obviously influenced the nature of its women's prisons as well.

Problems Associated with the Two Traditional Models

Each of the two traditional models of women's prison, custodial and reformatory, generated its own group of problems. When the two models began to merge in the early twentieth century, they pooled these problems, feeding them into the women's prison system which we have today. In what follows, we (1) specify the problems associated with each model; and (2) identify ways in which these continue to affect women's prisons. In conclusion we assess the potential of the newly emergent modern campus type of women's prison to overcome some of the difficulties which have, historically, troubled prisons for women.

Among the problems associated with the custodial model, most serious was its tradition of providing for female state prisoners care inferior to that afforded to comparable males. This is a somewhat difficult point to make, for throughout we have stressed the fact that the treatment of women in custodial institutions was similar to that of male counterparts. However, as many of the specific examples in the text have indicated, this overall even-handedness, in combination with the fact that female felons were so few in number, worked to produce inferior care for women. For example, when in the early nineteenth century women were held within the walls of predominately male custodial prisons, they were sometimes subjected to the same routines and watched by the same guards as were men. But because they were so few in number, they ran a higher risk of sexual victimization; moreover, lacking same-sex guards, they probably also suffered more from lack of privacy and company. Similarly, after women were isolated into custodial units of their own, they were handled in ways which, though similar to those used with male prisoners, were at the same time also somewhat inferior; shunted off into small buildings of their own, the women were now more difficult to service. Their buildings, for example, often lacked separate kitchens; because food had to be delivered to the women, it would arrive cold and, in some institutions, only once a day.⁶ To give a second example: the women in custodial units were usually dependent on the nearby men's prison for staff; but because the women were more isolated, they had less access than did male prisoners to the physician, chaplain, and instructors. Moreover, these officials were less likely to be familiar with or sympathetic to the special problems of women than with those of other men.⁷

Thus as a function of the very way in which they evolved, custodial institutions for women provided for their inmates care which, while it gener-

ally resembled that for men, was also of a lower quality. Wardens and other prison administrators frequently deplored this fact, but they were powerless to do much about it, given that the women's units were added as afterthoughts and held so few prisoners.

A number of other problems (or, rather, constellations of problems) came to be associated with women's prisons of the custodial type. One was poverty of resources, a phenomenon related not to the tradition of providing care somewhat inferior to that of male prisoners (the last point) but rather to the impoverishment typical of custodial institutions in general: like their male counterparts, female custodial prisons were poorly staffed and offered few programs. A second group of problems related to their physical plants. These tended to be small and cramped, with no yard or other provision for recreation. High in security level and arranged either into cell blocks or dormitories, they provided bleak, uncomfortable, and sometimes unhealthy living accommodations. Third, there was little opportunity for prisoner classification in women's units of the custodial type, due mainly to their small size but also, where the dormitory arrangement prevailed, to absence of any subdivisions whatsoever.⁸ Fourth and fifth, women held in custodial prisons were frequently subjected to rigid rules and harsh punishments, and they had little access to the outside world. Last, these were highly stigmatizing institutions; because their aim was punishment, they made no more effort to relieve the psychological than the physical pains of incarceration.

At least two of the major problems which afflict women's prisons today can be traced to roots in the custodial tradition. The first relates to the practice of affording less adequate care to women than to men prisoners. Women's prisons in many states, in part because they continue to hold such a small proportion of the total prisoner population, are poorly funded, and

inadequacies in their facilities and programs tend to be ignored.⁹ Moreover, just because most prisoners are male, even similar treatment of the sexes means that female-specific problems will be overlooked. Women prisoners seldom receive adequate gynecological care, for example--gynecology is simply an area in which most prison physicians are not expert; and because women are more frequently responsible than men for dependent children, they suffer more from the apparently "equal" separation from family.¹⁰ The second set of current problems associated with the custodial tradition relates to the generally impoverished care offered by custodial prisons to males and females alike: understaffing, rigidity in rules and punishments, lack of programs and other resources, and harsh living conditions are all part of the legacy of custodialism.

An entirely different set of problems grew up around the reformatory tradition, the most significant of which involved social class biases. As we have seen, the reformatory movement was led by middle-class women determined to isolate female offenders, especially those convicted of sexual offenses like prostitution, into institutions where they could be rehabilitated through being trained to be obedient domestic servants or proper wives. The movement thus involved the imposition of middle-class standards of morality of lower-class women. It also involved differential treatment on the basis of sex: reformatory inmates were punished for behaviors often overlooked in the cases of men; establishment of reformatories was often accompanied by special sentencing provisions which allowed such institutions to hold minor offenders for periods of years; and the reformatories were dedicated to "feminine" training. This differential treatment was essentially procapitalist and functional to the middle-class. It affirmed the place of woman in the home, where she worked for a minimum wage or none at all. It greatly increased

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state control over "deviant" women--those who asserted sexual equality and autonomy. And, not incidentally, it helped train a body of domestic servants who were then paroled to work (often for very low wages) to middle-class homes in the vicinity of the reformatories! Social class biases and interests were, then, intrinsic to the very concept of the women's reformatory.

Conceptually distinct from but closely related to these social class biases was the reformatories' stress on female sex roles, a problem which affected not only inmates but their keepers as well. Inmates were affected by, for example, the reformatories' refusal to provide industrial or other types of "unwomanly" training which would have helped released prisoners obtain competitive jobs. Reformatory administrators opened the door to correctional positions for themselves by arguing that only women could understand and reform other, less fortunate, women; but by employing this sex-role argument, they professionally locked themselves out of positions in (the far more numerous) prisons for men and in prison administrative hierarchies. Furthermore, the rigidity of such sex-role stereotyping worked to prevent cross-fertilization between the men's and women's prison system; ignoring the women's system as irrelevant, male administrators also sometimes overlooked experiments within it from which they might have learned.¹¹

Yet other problems associated with reformatories also derived from these institutions' emphasis on female sexual purity and woman's place in the home. Some reformatories, as we have seen, approached the rehabilitation of prostitutes through programs designed to treat venereal disease; these programs, however, no doubt negatively affected inmates' health with their frequent vaginal examinations and painful injections of mercury compounds.¹² And many reformatories (to give another example) approached discipline and punishment in a manner which, though ostensibly mild and maternal, was also belittling and degrading, treating as it did adult women as though they were children.

This is not to say that all of the problems associated with women's reformatories stemmed from their social class biases and concomitant amplification of sex roles. One, for instance, was simply a function of the rural location of most reformatories: isolated in rural areas, these institutions were difficult to visit and supply. Another was a function of the cottage plan: subdivided into a number of separate units, each requiring its own heating system, kitchen, and staff, the reformatories were expensive to operate.¹³

Nearly all of the problems historically associated with the reformatory tradition continue to affect women's prisons today. Despite the growth of suburbs, the location of those women's prisons which began as reformatories continues in many cases to be problematic, cutting inmates off from families and community resources. In addition, these institutions continue to have unusually high overhead expenses due to their subdivision into a number of separate units. Far more significant is the fact that the social class biases of the original reformatories and their resultant insistence on conformity to "proper" women's roles have fed into a women's prison system which continues to be moralistic, unsympathetic to working-class women's problems, and infantilizing. Today as in the past, women's prisons try to cultivate inmate "self-respect" through encouragement of ladylike appearances; cosmetology courses and "personal grooming" programs continue to play major roles in the curricula of such institutions (and often to be better equipped than any other department). Lacking both the physical capacity to provide industrial training and a tradition of such training, women's prisons still fail to offer adequate preparation for competitive jobs. Women continue to be called "girls" and in other ways, too, subjected to the child-like treatment still considered appropriate for females.¹⁴ The tradition of sex-stereotyping

continues to affect administrators as well: the women who today direct women's prisons have little more access to positions in men's institutions than did their forerunners.

In conclusion, it is important to note that both the custodial and reformatory traditions generated differential treatment of women, though for different historical reasons. Custodial prisons for women tended to provide poorer treatment to women less on the basis of assumptions about special characteristics of women than because women prisoners, being few in number and isolated in small units of their own, attracted less attention than did men. Reformatory institutions were more deliberate in their provision of differential treatment, justifying it with assumptions about women's "nature." The quality of physical care provided by the reformatories was frequently superior to that of custodial institutions, including those for men; but for this superior care inmates paid a psychological price in terms of the roles to which they were expected to conform. In both cases, then, differential treatment was in fact disadvantageous to women.

The modern campus model now emerging as a third type of women's prison has the potential to overcome many of the problems associated with women's prisons of the past. Having broken with traditional prison architecture, it can avoid the physical problems linked with the custodial model (such as knee-jerk reliance on the cell or dormitory and on traditional security mechanisms) on the one hand and those linked to the reformatory model (such as geographical isolation and expensive separate units) on the other. Because they are totally independent of a men's institution, they can (in theory at least) escape the differential treatment problems (especially resource difficulties) which traditionally plagued custodial institutions; because they are new, they can (again in theory) also by-step differential treatment traditions (espe-

cially the social class moralism) of the reformatories. Whether these new institutions will in fact realize such potentials remains, however, an open question.¹⁵ As observed earlier, many of them are already so badly overcrowded that they are unable to deliver programs of much quality. Moreover, due to underfunding and, at times, unimaginative leadership, a number of them continue to provide very traditional programs. The most we can say, then, is that the opportunity exists to begin breaking with some of the traditions which have in the past worked to provide women prisoners with inferior treatment. But without an expansion in work-release programs which would reduce overcrowding, and without the funding necessary for program improvement, institutions of this new type will do no better than their predecessors.

Directions for Future Research

One of the goals of this study was to establish an empirical base of information on the origins and development of the women's prison system, one on which other researchers could build. Now that we have established the basic contours of the system's development, it seems appropriate to suggest some of the directions which future historical research on women's prisons might most profitably take. Three areas for further exploration appear to be particularly important:

(1) We need fuller histories of individual institutions. With few exceptions, this study was unable to follow prisons for women past their first decade of operation. Full-scale portraits of individual institutions, similar to those which have been made of some institutions for men, would give a more accurate sense of the nature of these institutions and more complete data on their prisoners. They would, moreover, flesh out and perhaps modify some of this study's findings on the characteristics of regional developments.

(2) Also needed is a more complete investigation of the effects of race on the nature and development of women's prisons in the various regions. Our research capacity did not allow us to collect the data necessary to fully explore the effects of the racial composition of a region or prison population on the nature of incarceration, nor were we able to give as much attention as we would have liked to differential treatment of blacks and whites. We did, however, gather enough information to hypothesize that the predominance of custodial prisons in the South may have been a by-product of the large proportion of black women in southern prisons populations. This hypothesis calls for further investigation, and it is clear that others pertaining to the effects of race and racial prejudice might be formulated as well.

(3) Finally, the development of the women's prison system needs to be placed in the more general context of women's history as a whole. It needs, for example, to be related to the ebb and flow of moral reform movements; to migrational patterns, such as the northward movement of black women after the Civil War and the immigration of European women in the pre-World War I period; and to changes in sex roles.

If nothing else, this report should make it more difficult for future historians of the American prison system to perpetuate the traditional disregard of prisons for women; as we hope we have made clear, the various states founded and operated a large number of women's prisons, some of them institutions far more innovative and, in their own terms, more successful than prisons for men. Hopefully we have also demonstrated the biasing effects of the scholarly tradition which ignores women's prisons of the non-reformatory type and those founded outside the Northeast and North Central regions. Finally, we hope we have indicated how strongly the legacies of the past can

affect the present, shaping the latter and at times thwarting even the most determined efforts of those who would bring about change.

Notes

¹In addition to the Mount Pleasant prison, two other custodial prisons for women were established in the Northeast, both by New York State--the State Prison for Women at Auburn and the short-lived prison farm at Valatie.

²As explained in Chapters 2 and 8, this was a sentence with no minimum; at first the maximum was set at five years (see New York, Laws of 1890, Ch. 238), but in 1899 it was reduced to three (Laws of 1899, Ch. 632).

³Other recently opened southern prisons for women which may conform to the modern campus model are the Women's Unit of Oklahoma (opened 1971); the Mabel Bassett Correctional Center, also of Oklahoma (1973); South Carolina's Women's Correctional Center (1974); the Women's Unit located at Pine Bluff, Arkansas (1975); and Kentucky's Daniel Boone Career Development Center (1976).

⁴Other recently opened western prisons for women which may conform to the modern campus model are Nevada's Women's Correctional Center, opened in 1964 at Carson City; Wyoming's Women's Center, opened in 1977 at Evanston; and New Mexico's Radium Springs Center for Women, opened in 1978. As in the case of some southern women's prisons, our data simply were not extensive enough for us to be able to determine the nature of these institutions.

⁵Ohio Governor, Report of the Special Committee of the Seventy-Seventh General Assembly of Ohio Appointed to Investigate Penitentiary Buildings, Management and Convict Labor . . ., December 1908 (typescript held by the Ohio State Archives, Columbus).

⁶This example applies to women held at the Tennessee Penitentiary about the turn of the century (see Chapter 6) and at New York's Auburn prison in the early nineteenth century.

⁷"Our department," wrote the physician of one Indiana prison in 1873, "was very much relieved on the removal of the females . . . , both by way of expense and annoyance" (Indiana State Prison South, AR 1873:11).

⁸One form of prisoner classification, however--by race--seems to have been practiced in nearly all women's prisons until about twenty years ago. Even in small buildings with dormitories, the races were kept apart, usually by confining whites to one floor, blacks to another.

⁹See, for example, U.S. General Accounting Office, Comptroller General's Report to the Congress, Women In Prison: Inequitable Treatment Requires Action (Washington, D.C.: General Accounting Office, 1980), which begins (p. i) with these words:

Women in correctional institutions do not have access to the same types of facilities, job training, jobs in prison industries, and other services as men prisoners.

Inequitable treatment is most prevalent at the State level, but it also exists at the Federal and local levels. Correctional systems have not been aggressive in providing programs and services to females due to the relatively small number of women prisoners, and because many officials feel that women do not need the same type of training and vocational skills as men.

¹⁰Judith Resnik and Nancy Shaw, "Prisoners of Their Sex: Health Problems of Incarcerated Women," in Ira Robbins, ed., Prisoners' Rights Source Book: Theory, Litigation, and Practice (Clark Boardman, 1980); Kathleen Haley, "Mothers Behind Bars: A Look at the Parental Rights of Incarcerated Women," New England Journal on Prison Law 4 (Fall 1977):141-155.

¹¹For example, as a result of the reformatory movement, many women's prisons drastically lowered security levels, though some did maintain one

secure unit on their grounds. Most men's prisons are less flexible on security levels.

¹²See Chapter 3, notes 63-65 and accompanying text.

¹³It could of course be argued that even the rural location of reformatories and their typical cottage plan were functions of their founders' class biases and firm belief in inborn gender-role differences. Reformatories were founded in the country in part to isolate inmates from the negative influences of cities and bad companions; they were subdivided into cottages on the theory that life in small "family" groups would be rehabilitative for women.

¹⁴U.S. General Accounting Office, Comptroller General's Report to the Congress, Women In Prison [industries]; Ruth M. Glick and Virginia V. Neto, National Study of Women's Correctional Programs (Washington, D.C.: National Institute of Law Enforcement and Criminal Justice, LEAA, 1977):41-43 and Kathryn W. Burkhardt, Women In Prison (Garden City, N.Y.: Doubleday, 1973), Ch. 5 [infantilization].

¹⁵There are of course some problems of women's prisons which cannot be overcome even by a switch to a new model and improved funding. One of these is the need of women's prisons to be multifunctional. As noted in the Introduction, because there is usually only one women's prison in a state, it must serve a variety of functions; because there are usually a number of men's prisons in a state, they can specialize.

APPENDICES

APPENDIX A
INSTITUTIONS COVERED BY THE REPORT, BY REGION
AND DATE OF OPENING

	Original Name	Location	Date Es- tablished	Date Opened
<u>NORTHEAST</u>				
NY	Mount Pleasant Female Prison	Ossining	1835	[1839]
MA	Reformatory Prison	Sherborn (Framingham)	1874	1877
NY	House of Refuge for Women	Hudson	1881	1887
NY	Western House of Refuge	Albion	1890	1893
NY	State Prison for Women	Auburn	1893	1893
NY	State Reformatory for Women	Bedford	1892	1901
NJ	State Reformatory for Women	Clinton	1910	1913
NY	State Farm for Women	Valatie	1908	1914
ME	State Reformatory for Women	Skowhegan	1915	1916
CT	State Farm for Women	Niantic	1917	1918
PA	State Industrial Home for Women	Muncy	1913	1920
VT	State Prison and House of Correction for women	Rutland	1921	1921
RI	State Reformatory for Women	Cranston	1922	1925
<u>NORTH CENTRAL</u>				
OH	Women's Annex	Columbus	[1837]	1837
MI	House of Shelter, Detroit House of Correction	Detroit	[1868]	1868

(continued)

IN	Reformatory Institution for Women and Girls	Indianapolis	1869	1873
OH	Reformatory for Women	Marysville	1911	1916
IA	Women's Reformatory	Rockwell City	1915	1918
KS	State Industrial Farm for Women	Lansing	1917	[1918]
IL	Women's Prison	Joliet	1919	[1919]
MN	State Reformatory for Women	Shakopee	1915	1920
NE	Reformatory for Women	York	1919	1920
WI	Industrial Home for Women	Taycheedah	1913	1921
IL	State Reformatory for Women	Dwight	1927	1930
MO	State Penitentiary for Women	Jefferson City	1955	[1955]
MI	Huron Valley Women's Facility	Ypsilanti	[1972]	1977
<u>SOUTH</u>				
TX	Goree Farm	Huntsville	[1910]	1911?
AR	State Farm for Women	Jacksonville	1919	1920
AL	Wetumpka State Penitentiary (later moved to Julia Tutwiler Prison)	Wetumpka	[1923]	[1923]
NC	Industrial Farm Colony for Women	Kinston	1927	1929
DE	Women's Prison	Claymont	[1929]	[1929]
VA	State Industrial Farm for Women	Goochland	1930	1932
NC	Women's Prison	Raleigh	[1933?]	1934
KY	Women's Prison	Pewee Vally	[1938?], 1964	1938
MD	Women's Prison	Jessup	1941	1940

(continued)

WV	State Prison for Women	Pence Springs	1947	1948
AR	State Reformatory for Women (moved in 1975 to Pine bluff)	Cummins Farm	1951	1951
FL	(Orig. name unkn.; today Florida Correctional Institution)	Lowell	[1956?]	1956
LA	Women's Prison	St. Gabriel	[1961?], 1970	1961
SC	Harbison Correctional Institution for Women (moved in 1975 to Columbia)	Irmo	[1964]	1964
TE	Prison for Women	Nashville	1965	1965
GA	Rehabilitation Center for Women	Milledgeville	[1968]	[1968]
OK	Women's Unit	McAlester	[1971]	[1971]
OK	Mabel Bassett Corectional Center	Oklahoma City	[1973]	1973
TX	Mountain View Unit	Gatesville	[1975],	1975
KY	Daniel Boone Career Development Center	Burlington	[unkn.]	1976
FL	Broward Correctional Institution	Ft. Lauderdale	[1977?]	1977?

WEST

CA	Institution for Women (Female Dept. of San Quentin) (later moved to Frontera)	Tehachapi	1929	1933
NV	(Orig. name unkn.; today Women's Correctional Center)	Carson City	[1961]	1964
OR	Womeen's Correctional Center	Salem	[1962?], 1971	1965
CO	Women's Correctional Institution	Canon City	1967, 1975	1968

(continued)

WA	Correctional Institution for Women	Gig Harbor	1967	1971?
WY	Women's Center	Evanston	[unkn.]	1977
NM	Radium Springs Center for Women	Radium Springs	[unkn.]	1978
AZ	Center for Women	Phoenix	[1979]	1980

NOTES: Dates of establishment are bracketed in those instances in which the women's institution was established administratively rather than through legislative action. Dates of opening are bracketed in instances in which the women were in fact held at that location before the institution's opening as a women's institution. A question mark indicates that we were unable to confirm the date.

APPENDIX B

NOTE ON SOURCES FOR THE NATIONAL SURVEY

Most of the material for the national survey of state prisons for women was obtained from government documents and reports. These generally consisted of four types, listed here in the order in which we usually covered them:

- (1) The legislative act establishing the women's prison;
- (2) Annual or biennial reports issued by the institution itself;
- (3) Annual or biennial reports issued by the institution(s) where women were held prior to the opening of the separate facility;
- (4) Reports of the body or bodies which supervised the women's prison.

Data-gathering for each state prison for women began with a review of the legislative act (if any) which established the facility. In the case of most prisons legislatively established before the mid-twentieth century, these laws tended to be quite comprehensive, specifying the official name and function of the institution; its structure of administration; the type of facility to be built or purchased (the law might specify, for instance, that the institution be built on the cottage plan, in a rural area, on a tract of not more than 300 acres); and the group responsible for oversight of construction or purchase of the institution. Such laws also often specified that the institution was to be run by a female superintendent who would have the authority to appoint and supervise other members of the staff. Further, the laws often defined the type of offender to be received (age, offense type, and so on) and the mechanisms for parole and final discharge. Finally, the establishing legislation frequently outlined the nature of the vocational and educational programs to be provided by the new facility. Thus, at least in the earlier periods, the

establishing legislation usually proved to be an excellent source of information on the basic structure and orientation of the state's prison for women. We found a useful guide to such legislation in Helen Worthington Rogers' "A Digest of Laws Establishing Reformatories for Women" (Journal of Criminal Law and Criminology, 1922).

Our major source of information on day-to-day life within each institution was usually the reports issued either annually or biennially by the prisons themselves. These reports to the state legislature or the institution's supervisory body commonly consisted of a major section by the superintendent supplemented by shorter commentaries by other officers--the chaplain, physician, steward, and head teacher. Such reports typically presented an overview of conditions within the institution, information on programs, and demographic data on the population held by the institution during the past year(s). Often, particularly in the case of older institutions for women, these reports also included philosophical discourses by the chief officer on the nature of female crime and corrections. Institutional reports issued during the nineteenth and early twentieth centuries were typically lengthy and comprehensive, touching upon virtually every aspect of correctional life (albeit at times in biased and self-serving detail). More recent annual or biennial reports, on the other hand, when they exist at all, tend to be brief and general in nature. Often they are merely a subsection of an annual report issued by a state department of corrections or other supervisory agency, and it is difficult to glean demographic data on female inmates from them.

Prior to the establishment of a separate facility for women, most states held female offenders in city or county jails and in state prisons or penitentiaries established primarily for men. We examined annual reports issued by such institutions for information on the conditions under which women were

held before the separate women's prison opened. They often revealed the extent to which the women were kept physically separate from male prisoners; the type of work (if any) assigned to the women; and whether or not the women were supervised by a matron. Furthermore, such reports (many of them written by the warden of a predominantly male facility) often shed light on the reasons why a women's prison came to be considered necessary and why the warden may have been anxious to see the women transferred elsewhere.

Most states placed their new women's prison under the authority of a supervisory agency. In the late nineteenth and early twentieth centuries, such agencies generally had control over many state institutions--social service as well as correctional--and were known by titles such as the Board of Charities, Board of Charities and Correction, Board of Control of State Institutions, or Department of Public Welfare. These agencies tended to go through periodic changes of title and authority until finally the state invested responsibility for all penal institutions in a separate correctional agency. Regardless of their title or scope of authority, however, most of these supervisory agencies issued yearly or biennial reports on the institutions under their care. Based on inspections of the institutions by agency personnel, their reports provided us with a supplement and balance to the reports of the prisons themselves by giving another view of life within the institutions. In some states, moreover, special boards of visitors existed as adjuncts to the supervisory agency; their reports provided yet other data on women's prisons.

In addition to the four major types of official documents used as data sources for the national survey, other government materials were also utilized in a number of cases. These include governor's messages, reports of special legislative investigatory committees, and legislative journals. The need to use such supplementary documents and reports became particularly acute in the

case of recently-established institutions for which there were no full and descriptive annual reports. Such government documents are often poorly indexed, however, and some states have not indexed them at all; thus a thorough search of all government documents relevant to each state's prison for women was impossible. In most cases, limitations of time and accessibility also prevented the use of such sources as local newspapers and periodicals, archives, and autobiographical materials. These perhaps would have given us a view of the women's correctional system very different from the generally positive portrayal found in the official documents upon which we perforce mainly relied. Such materials, therefore, form a nearly-untapped resource for further research on the development of the women's prison system.

General state histories also proved helpful in some instances. In particular, institutional histories and histories of the states' boards of charities often provided useful information on the reasons for establishment of separate prisons for women. Harry Elmer Barnes' histories of public institutions in New Jersey and Pennsylvania, for example, are important sources of information on the founding of women's prisons in those states. Other key resources to which we frequently referred were Eugenia C. Lekkerkerker's Reformatories for Women in the United States (1931) and the Handbooks published by the National Society of Penal Information (later called the Osborne Association). Lekkerkerker's work gives an excellent, if one-sided, overview of women's reformatories established prior to 1929, and the Handbooks present surveys of all American penal institutions from 1925 to about 1940. During the 1930s, the federally-funded Prison Industries Reorganization Administration studied the prison systems of a number of states; its reports usually include a section of detailed information on prisons for women. Another good source of information, especially on the early development of the women's prison system, is Blake McKelvey's American Prisons (1936).

Materials on state prisons for women established within the past quarter century are generally scarce and spotty in their coverage. We were helped to overcome this difficulty by the reports issued in the past decade by some states to the U.S. Civil Rights Commission; these describe conditions within each penal institution and are more likely than institutional reports to be critical. Also useful was the series of state correctional profiles recently published by Corrections Magazine.

Access to information on the origins and development of women's penal institutions was severely limited in some states by the fact that no official reports were ever issued, either by the women's prison itself or by its supervisory agency. In these cases, we attempted to gather information from state libraries, departments of corrections, and historical societies. These efforts usually proved successful, and at least a general picture of the early history of the institution could be drawn, but in some cases the history remained vague as a result of the lack of information. In only one state (Arkansas) did lack of cooperation with our research efforts by state officials block our access to annual reports which we knew to exist. In Maine, though we knew that the women's reformatory had issued reports, no one was able to locate these until a cooperative contact discovered them in an attic at the Girls' Training School. This contact made copies for us and planned to send the originals on to the state archives.

A final source of information for the national survey was interviews with women involved, currently or in the past, with the administration of women's prisons. Penny A. Bernhardt, Warden of the Tennessee Prison for Women; Janet York, former superintendent of Connecticut's women's prison at Niantic; and, especially, Miss Eleanor H. Little of Guilford, Connecticut, gave generously of their time. Miss Little was most important in this respect. At the turn

of the century, she worked at the Pennsylvania girls' training school at Sleighton Farms under Martha P. Falconer, a woman who, as the text indicates, was highly influential in the founding of a number of women's reformatories and in training their early superintendents and other staff. Moreover, Miss Little participated, with her lifelong friend May Caughey, in the founding of the New Jersey women's reformatory at Clinton Farms, and until recently she served on Niantic's parole board. Despite her advanced years, Miss Little has apparently total recall of the events and people she encountered in her work in female corrections, and she spent many hours sharing her memories, reading parts of this manuscript, and guiding my interpretations.

Hopefully, this study will stimulate other researchers to probe even more thoroughly for sources of information which will flesh out our picture of the development of the women's prison system in the United States. Fuller understanding of the origins, nature, and evolution of this system would not only help fill in the many remaining blank spots in the history of women's prisons; it would also give us a more accurate view of the origins and development of the prison system as a whole.

APPENDIX C

DEFINITION OF REGIONS OF THE UNITED STATES
USED FOR THE NATIONAL SURVEY

For PART II, National Survey: Regional Patterns in the Development of the Women's Prison System, regions were defined as in the Uniform Crime Reports:

Northeast

Connecticut
Maine
Massachusetts
New Hampshire
New Jersey
New York
Pennsylvania
Rhode Island
Vermont

North Central

Illinois
Indiana
Iowa
Kansas
Michigan
Minnesota
Missouri
Nebraska
North Dakota
Ohio
South Dakota
Wisconsin

South

Alabama
Arkansas
Delaware
Florida
Georgia
Kentucky
Louisiana
Maryland
Mississippi
North Carolina
Oklahoma
South Carolina
Tennessee
Texas
Virginia
West Virginia

West

Arizona
California
Colorado
Idaho
Montana
Nevada
New Mexico
Oregon
Utah
Washington
Wyoming

Alaska and Hawaii were not covered.

APPENDIX D

LIST OF GUIDELINE QUESTIONS USED FOR THE NATIONAL SURVEY

For each prison, we tried to answer the following questions:

- (1) Where were female state prisoners previously held, and under what conditions?
- (2) Who backed establishment of the new institution, and what arguments did they use?
- (3) The new institution:
 - (a) Original title?
 - (b) Date established?
 - (c) Date opened?
 - (d) Where was it established, and what geographical considerations determined this location?
- (4) Type of prison (custodial, reformatory, mixed, other)?
- (5) What restrictions were placed on the type of prisoners who might be sent to the new institution?
- (6) What type(s) of sentence (determinate, indeterminate, and if indeterminate, of what sub-type) did inmates receive?
- (7) If prisoners could be paroled, who made the parole decision? Was the institution itself responsible for supervision of parolees?
- (8) What was the composition of the inmate body during the first decade of operation in terms of:
 - (a) Age;
 - (b) Race;
 - (c) Nationality;
 - (d) Types of conviction offenses?

- (9) What was the new prison's physical plant like in terms of buildings, acreage, perimeter security, and so on?
- (10) What was the administrative structure of the new prison?
- (a) Ultimate authority?
 - (b) Intermediate supervisory body, if any? (Include information on how it was appointed and whether or not women were involved.)
 - (c) Who was responsible for the daily operation of the prison itself? (Gather information on staff titles and on whether staff were required by law to be women.)
- (11) What educational, vocational, and recreational programs, if any, did the new prison offer during its first decade of operation?
- (12) What techniques and mechanisms were used to maintain discipline?
- (13) Other significant points?
- (14) Was the institution's population radically changed at some point, e.g., by a law excluding all but felons?
- (15) Was the institution closed at some point, and if not, what is its current title?

APPENDIX E

MATERIALS AND SAMPLING METHODS USED FOR IN-DEPTH STUDIES,
DATA COLLECTION ON PRISONERS

In connection with the in-depth studies, we collected data on offenses and other characteristics of female state prisoners from intake ledgers. The data collection procedures, including sampling methods, were influenced by the nature of the materials (for example, whether women prisoners were listed together in ledgers or were rather, as in the case of Tennessee, included in predominantly male listings, in which case we had to search for female names and other identifiers); the extent of the materials (the more female cases, the more likely we were to use skip-intervals); and limitations on the coders' time. In some cases, these constraints made it necessary to skip years as well as cases. We wanted to collect data on female prisoners incarcerated for the periods five years before and after the opening of new units or institutions for women, and we also wanted to cover roughly the same periods for all prisons--in both cases for comparative purposes; these considerations governed determination of the years skipped when it was impossible to collect data on the entire sequence of female cases. We decided to stop data collection with cases received about 1934 (a point about which several of the institutions closed). In the case of the Ohio Reformatory for Women, however, an enthusiastic coding assistant continued until 1943.

In what follows, we identify the data sources and sampling procedures used for collection of information on female prisoners for the five in-depth studies.

Tennessee

The primary source used for the study of female prisoners in Tennessee was the Tennessee State Archives' series of prisoner registries. These consist of volumes labeled K through T, plus several additional, subsidiary volumes. Volumes filled prior to volume K have been lost. Volumes U and following are held by the Department of Correction; we made use of volume U in addition to those in the archives.

The registries present a nearly unbroken series of consecutive admissions to the penitentiary, including both females and males. There is some overlap among the earlier volumes, and the advent of a new clerk was sometimes accompanied a new and idiosyncratic method of case enumeration. However, there was no change in basic format, volume U recording data on the same variables, and in the same order, as did volume K. Thus the records are uniform as well nearly complete.

We collected data on a total of 965 cases, using every case received during the following periods:

1831 through 1874
1879 through 1905
1912 through 1922
1929 through 1934.

That is, for Tennessee, we did not regularly skip cases, but we did skip years. It should be noted that the records were fragmentary for cases received 1865 through 1879.

The Tennessee State Archives holds a rich variety of other materials which supplement the prisoner registries. We made some reference to these but did not have time to use them systematically. Particularly tantalizing were the Supreme Court case records which enable the researcher to discover the particulars of offenses listed merely as "larceny," "murder," and so on in the registries.

New York--State Prison for Women at Auburn

The New York State Archives includes in its holdings five volumes relating to the State Prison for Women operated at Auburn between 1893 and 1933:

Volume 1: Register of Convicts Received between May 1893 and March 1918;

Volume 2: Register of Convicts Received between August 1928 and June 1933;

Volume 3: Register of Convicts Discharged between June 1893 and December 1919;

Volume 4: Bertillon Ledger on inmates admitted from July 1909 until the prison's closing;

Volume 5 Commutation Book covering October 1920 to April 1930.

We used these volumes to piece together records of prisoners included in our sample, in some cases using several volumes simultaneously to get all the necessary data on an individual prisoner.

We collected information on a total of 669 cases, using the first 120 commitments (those received May-December 1893) and thereafter sampling every other case (odd numbers), covering the following periods:

1893 through 1903
1912 through 1922
1926 through 1933.

As noted in more detail in Chapter 7, we also used a special sample of cases from Volume 4 for specific information on property offenders and homicide cases.

New York--Western House of Refuge at Albion

The New York State Archives holds seven volumes of prisoner registries pertaining to the Western House of Refuge, covering the period from January 1894 (when the first inmate was received) through June of 1931 (when the

institution ceased to function as a reformatory). These records are complete, highly detailed, and in excellent condition.

We collected data on a total of 1,583 cases, using every other case (odd numbers) received. Due to student assistance with coding, we were able, in the case of Albion, to cover every year.

In addition to the prisoner registries, the archives holds an evidently complete set of case files on Albion's inmates--167 cubic feet of them, each in a folder tied with a bright pink ribbon. These cases files, which include letters from and to inmates (the prison's administration exercised tight control over correspondence), photographs, test scores, and other unique documents, provide an extremely rich source of information on reformatory inmates and their reactions to institutional efforts to rehabilitate them. Although we were unable to use the case files systematically, we did refer to some of unusual interest when time allowed.

Ohio--Women Held at the Ohio Penitentiary

The Ohio State Archives holds an excellent series of registries on prisoners (male and female) admitted to the Ohio Penitentiary. There are twenty-one volumes in this series, covering admissions 1834 through March 1900. Each volume is indexed, but we found it easier to identify female cases by looking for the "W" with which they were tagged in the registries themselves. In addition to this series, the archives holds a volume, clearly a copy of an earlier and now-lost register, which records details on prisoners received 1815-1934. We referred to this volume in addition to the series of registries. Registries for cases received May 1900 and following (volumes 22 and onward) are held by the Ohio Penitentiary; we also used these records, picking up where the archives' series left off.

We collected information on a total of 609 cases, using every female case admitted from 1888 through 1917 (after which women were no longer received at the penitentiary unless slated for execution) except for cases admitted between May 1910 and 1912. We were forced to skip this interval due to lack of time.

Ohio--Reformatory for Women at Marysville

The Ohio State Archives also holds a two-volume set of registries for prisoners admitted to the reformatory at Marysville. The first prisoner committed directly to the reformatory was received on 1 September 1916. However, the reformatory also received, at first, transfers from the Ohio Penitentiary, women committed as early as 1913, and records of these women are recorded in the first volume of the Marysville registries. The first registry covers cases committed originally to the penitentiary or directly to the reformatory between May 1913 and December 1926; volume 2 picks up where volume 1 leaves off, covering cases committed between January 1927 and April 1943. These records, though useful, are not nearly so detailed and complete as those for New York's reformatory at Albion. Moreover, as noted in Chapter 10, they are confusing when it comes to sentence length and time-served.

We collected information on a total of 780 cases, using every fifth case committed (either originally to the penitentiary or directly to the reformatory) in the following years:

1913 through 1921
1926 through 1943 (March).

APPENDIX E

CODE BOOK AND DATA COLLECTION FORM USED FOR IN-DEPTH
STUDIES, DATA COLLECTION OF PRISONERS

This code book was designed for use in the collection of data on female prisoners held in Tennessee (at the penitentiary), New York (at both the State Prison for Women at Auburn and at the Western House of Refuge at Albion), and Ohio (at both the penitentiary and the Marysville reformatory). A copy of the data collection form utilized by the project appears at the end of the code book.

Coding Conventions

The following conventions are used:

- 6's-- to indicate "none," "never," or "no." Do not use for blanks but rather use for positive indications that the convict has, e.g., no priors. For Card 3, use 6's to indicate that the case was probably closed after the first release from prison.
- 7's-- to indicate "illegible" or "unintelligible"
- 8's-- to indicate that such data are usually omitted by the source
- 9's-- to indicate "no information"--i.e., that data on this variable are usually given but are missing for this particular case.

CARD COLUMN
1 1-6

ID. NO.

Column 1: State and Prison

- 1 Tennessee State Penitentiary
- 2 New York--Auburn
- 3 New York--Albion
- 4 Ohio Penitentiary
- 5 Ohio Reformatory
- 6 California

Columns 2-5: Case Number

The cases are numbered consecutively, though in some series there are gaps.

Tennessee: The series runs from #(1)0001 to #(1)0967. Cases were numbered as they were coded onto forms, so the ID numbers do not correspond to either chronological order or prisoner numbers.

New York--Auburn Prison: The series begins with #(2)0006 and ends with #(2)1679. Case numbers correspond to prisoner numbers. Every case was used #6 through 126, and thereafter every other odd-numbered case was used.

New York--Albion Reformatory (Western House of Refuge): The series begins with #(3)0001 and goes to #(3)3167, with case numbers corresponding to prisoner numbers and every other case (odd numbers) being used.

Ohio Penitentiary: The series begins with #(4)0001 and goes through #(4)0769, with gaps. The cases were numbered as they were coded onto forms, so the ID numbers do not correspond to either chronological order or prisoner numbers.

Ohio Reformatory for Women: The series begins with #(5)0001 and goes through #(5)5090. Case numbers correspond to prisoner numbers, with every 5th case being used.

Column 6: Card Number

- 1 (for card #1)

AGE AT RECEPTION

1 7-8

Two digits as shown in the prisoner registry--through age 95

- 96 96 years and older
- 97 illegible
- 98 usually omitted
- 99 no information for this inmate

CARD COLUMN
1 9-14

DATE OF BIRTH

MM YYYY

77 7777 illegible
88 8888 usually omitted
99 9999 no information for this inmate

RACE

1 15-16

01 African
02 Black
03 Brown/Colored/Mulatto/Negro
04 Chinese
05 Eskimo
06 Indian/American Indian/Red
07 Japanese
08 Oriental/Yellow
09 White

77 illegible
88 usually omitted
99 no information for this inmate

PLACE OF BIRTH

1 17-19

Current states of United States

Code	Definition	Code	Definition	Code	Definition
001	Alabama	018	Louisiana	036	Oklahoma
002	Alaska	019	Maine	037	Oregon
003	Arizona	020	Maryland	038	Pennsylvania
004	Arkansas	021	Massachusetts	039	Rhode Island
005	California	022	Michigan	040	South Carolina
006	Colorado	023	Minnesota	041	South Dakota
007	Connecticut	024	Mississippi	042	Tennessee
008	Delaware	025	Missouri	043	Texas
009	Florida	026	Montana	044	Utah
010	Georgia	027	Nebraska	045	Vermont
011	Hawaii	028	Nevada	046	Virginia
012	Idaho	029	New Hampshire	047	Washington (state)
013	Illinois	030	New Jersey	048	West Virginia
014	Indiana	031	New Mexico	049	Wisconsin
015	Iowa	032	New York	050	Wyoming
016	Kansas	033	North Carolina	051	District of Columbia Washington D.C.
017	Kentucky	034	North Dakota	052	U.S.A. but state unknown
		035	Ohio		

(NOT U.S. STATES): A - R

Code	Definition	Code	Definition	Code	Definition
101	At sea	136	Dalmatia	169	Macedonia
102	Afghanistan	137	Denmark	170	Madeira Islands
103	Africa	138	East Indies	171	Malasia
104	Albania	139	Ecuador	172	Malta
105	American waters	140	Egypt	173	Manila
106	Arabia	141	England	174	Martinique
107	Argentina	142	Estonia	175	Mexico
108	Armenia	143	Finland	176	Montenegro
109	Asia	144	France	177	Montevideo
110	Asia Minor	145	Guatemala	178	Native Californian
111	Australia	146	Germany	179	New Brunswick
112	Austria	147	Great Britain	180	Newfoundland
113	Azores Islands	148	Greece	181	New Granada
114	Bahamas Islands	149	Guam	182	New South Wales
115	Bavaria	150	Haiti	183	New Zealand
116	Baja or Lower California	151	Holland	184	Nicaragua
117	Belguim	152	Honduras	185	Norway
118	Bohemia	153	Hungary	186	Nova Scotia
119	Brazil	154	India	187	Pacific Islands
120	British America	155	Ireland	188	Palestine
121	British Columbia	156	Isle of France	189	Panama
231	British Guiana	157	Isle of Man	190	Persia
122	British Indies	158	Isle of Martinique	191	Peru
123	Bulgaria	159	Isle of Wright	192	Phillipines
124	Canada	160	Italy	193	Poland
125	Canary Islands	161	Jamaica	194	Polynesia
126	Cape Verde Islands	162	Japan	195	Portugal
127	Central America	163	Jerusalem	196	Prince Edward's Island
128	Chile	164	Jugoslavia	197	Prussia
129	China	165	Korea	198	Puerto Rico
130	Columbia	166	Latvia	199	Rome
131	Corsica	167	Lithuania	200	Roumenia
132	Costa Rica	116	Lower or Baja California	201	Russia
133	Cuba	168	Luxembourg		
134	Czeckoslavia				
135	Czeckoslavakia				

Code	Definition
202	San Salvador
203	Sandwich Islands
204	Santa Cruz
205	Sardinia
206	Saxony
207	Scandinavia
208	Scotland
209	Serbia or Servia
210	Siam
211	Sicily
212	Slavonia
213	Samoa
214	Sonora
215	South Africa
216	South America
217	South Sea Islands
218	South Wales
219	Spain
220	Sweden
221	Switzerland
222	Syria
223	Tahiti
224	Trinidad
225	Turkey
226	Union of South Africa
227	Virgin Islands
230	Wales
228	West Indies
229	Westphalia
232	next number

Code	Definition
666	Inmate does not know; unknown (if born in U.S.A. but state is unknown, use 052)
777	Illegible, unintelligible
888	usually omitted
999	no information for this inmate

PARENTS' PLACE OF BIRTH

Column 20: Mother

- 1 Born in USA (exclusive of territories)
- 2 Foreign-born (include territories here and born at sea)
- 3 Unknown

- 7 illegible
- 8 usually omitted
- 9 no information for this inmate

Column 21: Father

- 1 Born in USA (exclusive of territories)
- 2 Foreign-born (include territories here and born at sea)
- 3 Unknown

- 7 illegible
- 8 usually omitted
- 9 no information for this inmate

OCCUPATION

The interest here is in the inmate's previous occupation, not in whether or not she was employed at the time of the offense. Thus if the source gives data on the woman's last occupation and also indicates that she was out of work at the time of the offense, code the former and do NOT code "None".

See next page.

OCCUPATION (alphabetical listing)

OCCUPATION		CARD-	COLUMN
		1	22-24
001	Accountant	021	Clerk
002	Acrobat	022	Clothes presser
003	Actress	023	Collar maker
145	Animal Trainer	024	Concessionist
004	Artist	025	Confectioner
153	Attendant in insane asylum/ state hospital	026	Cook
005	Baker	127	Cook and nurse
006	Bank Teller	027	Copyist
007	Barmaid/bartender	028	Cotton mill operator
008	Beautician/beauty culturist/ beauty doctor	029	Cosmetician
165	Bleachery	142	Dancer
180	Bookbinder	166	Day labor/day laborer
009	Bookkeeper	030	Decorator
010	Brushmaker	031	Dental Assistant
011	Buttonmaker/button operator	032	Designer
178	buttonhole maker	033	Dietician
012	Cabaret Hostess		Dining room/in dining room-- code Waitress
012	Cable telegraph operator	034	Dishwasher
141	Car Cleaner	035	Doctor
162	Carnival-show girl	036	Doll maker
013	Cashier	037	Domestic
014	Caterer	038	Dressmaker
015	Chair caner	139	Dressmaker's apprentice
016	Chambermaid	039	Elevator operator
164	Chef	040	Entertainer
170	Chemical worker	041	Factory/factory worker/factory hand (dress factory, candy factory etc...)
017	Cigarette maker	042	Farm/farmer/farming/farm hand
018	Cigar maker/cigarbox maker	132	Feathermaker
019	Circus performer		
175	clairvoyant		
112	Cleaner		
020	Cleaner and presser		

OCCUPATION (alphabetical listing)

OCCUPATION	
043	Florist
113	Flower maker
129	Fortune teller
177	Fur lining maker
044	Gardener
045	Garment cutter
150	Glass cutter
046	Gloves maker/glove sewer/ glove packer
047	Grocer/grocery business
048	Grocery clerk
049	Hairdresser
050	Hat maker/hatter
051	Hosiery mill worker
052	Hospital nurse
053	Hospital orderly
149	Hospital worker
054	Hotel clerk
176	Hotel keeper
055	Hotel worker
056	Housegirl
057	Housekeeper/H.K.
058	House servant
059	Housewife
114	Housework/houseworker
555	"H.W.", "House W.," and other terms which could refer to either Housework or Housewife
060	Interior decorator
115	Investigator
061	Ironer/ironing
135	Janitor/janitoress
167	Kitchen Worker
152	Knitting mill
062	Laboratory technician
063	Laborer
064	Lacemaker
065	Lady of easy virtue
066	Laundress/laundrywork
067	Librarian
068	Loom maker
069	Machine operator
140	Madam (of a disorderly house)
070	Maid
071	Manicurist
131	Manufacturer
172	Market Woman
072	Masseuse
143	Merchant
116	Midwife
168	Milk condensery
073	Millhand/mill worker
074	Milliner/milliner's apprentice
075	Model
076	Musician
117	Music teacher
077	Nurse
	Nurse and cook--see <u>Cook & Nurse</u>
134	Nurse and teacher
078	Nurse for children/nursemaid
154	Nurse's assistant
118	Office manager
079	Office worker
119	Operator
161	Painter
080	Palmist

OCCUPATION (alphabetical listing)

-9-

OCCUPATION

120	Paper-box maker	173	Spooler
121	Phono pinner	094	Steam presser
144	Phonograph worker	095	Stenographer
179	Photographer	146	Store, worked in
081	Physio-therapist	133	Storekeeper
163	Piano player	125	Street walker
155	Pottery	156	Student
082	Presser	158	Studio, worked in
169	Prostitute/whore	096	Tailor/tailoress
122	Publisher	097	Tailor's helper
137 & 138 (error)	Real estate (use either one)	159	Tannery
083	Retired	098	Teacher
130	Reporter	174	Teamster
157	Restaurant/In restaurant	099	Telegrapher
171	Running a disc in a house	100	Telegraph operator
084	Housekeeper (also 057-error)	101	Telephone operator
085	Saloonkeeper	102	Tobacconist
160	Sawing wood	136	Trade, "in trade"
086	School teacher	103	Travelled with circus
087	Seamstress	126	Typesetter
088	Secretary	104	Typist
089	Servant	105	Upholsterer
	Sewing--code as <u>Seamstress</u>	106	Waitress
123	Sewing machine operator	107	Washing/wash woman
127	Shirtcutter	108	Weaver
090	Shirt maker	128	Whip maker
147	Shoe factory	109	Wife
091	Shop girl	110	Wool knitter/wool grader/wool puller/wool sorter, etc.
148	Silk mill	111	X-Ray technician
124	Silk winder		
092	Singer	666	"None," "No occupation," and so on. Do NOT use for blanks. DO use for "At home" or "housework--at home"
093	S. lady (sic)	777	illegible
		888	usually omitted
		999	no information for this inmate

OCCUPATION (numerical listing)

-10-

OCCUPATION

001	Accountant	031	Dental assistant
002	Acrobat	032	Designer
003	Actress	033	Dietician
004	Artist	034	Dishwasher
005	Baker	035	Doctor
006	Bank Teller	036	Doll maker
007	Barmaid/bartender	037	Domestic
008	Beautician/beauty culturist/beauty doctor	038	Dressmaker
009	Bookkeeper	039	Elevator operator
010	Brushmaker	040	Entertainer
011	Buttonmaker/button operator/buttonhole maker	041	Factory/factory worker/factory hand
012	Cable telegraph operator	042	Farm/farmer/farming/farm hand
013	Cashier	043	Florist
014	Caterer	044	Gardener
015	Chair caner	045	Garment cutter
016	Chambermaid	046	Gloves/glove sewer/ glove packer
017	Cigarette maker	047	Grocer/grocery business
018	Cigar maker/cigarbox maker	048	Grocery clerk
019	Circus performer	049	Hairdresser
020	Cleaner and presser	050	Hat maker/hatter
021	Clerk	051	Hoisery mill worker
022	Clothes presser	052	Hospital nurse
023	Collar maker	053	Hospital orderly
024	Concessionist	054	Hotel clerk
025	Confectioner	055	Hotel worker
026	Cook	056	Housegirl
027	Copyist	057 & 084 (error)	Housekeeper/H.K. (use either one)
028	Cotton mill operator	058	House servant
029	Cosmetician	059	Housewife
030	Decorator	060	Interior decorator

OCCUPATION (numerical listing)

OCCUPATION

061	Ironer/ironing	091	Shop girl
062	Laboratory technician	092	Singer
063	Laborer	093	S. lady (sic)
064	Lacemaker	094	Steam presser
065	Lady of easy virtue	095	Stenographer
066	Laundress/laundrywork	096	Tailor/tailoress
067	Librarian	097	Tailor's helper
068	Loom maker	098	Teacher
069	Machine operator	099	Telegrapher
070	Maid	100	Telegraph operator
071	Manicurist	101	Telephone operator
072	Masseuse	102	Tobacconist
073	Millhand/mill worker	103	Travelled with circus
074	Milliner/ milliner's apprentice	104	Typist
075	Model	105	Upholsterer
076	Musician	106	Waitress
077	Nurse	107	Washing/wash woman
	Nurse and cook--see <u>Cook & Nurse</u>	108	Weaver
078	Nurse for children	109	Wife
079	Office worker	110	Wool knitter/wool grader/ wool puller/wool sorter/etc.
080	Palmist	111	X-Ray technician
081	Physio-therapist	112	Cleaner
082	Presser	113	Flower maker
083	Retired	114	Housework/houseworker (for "Houseworker--at home" code 666)
084	Housekeeper/H.K.	115	Investigator
085	Saloonkeeper	116	Midwife
086	School teacher	117	Music teacher
087	Seamstress	118	Office manager
088	Secretary	119	Operator
089	Servant	120	Paper-box maker
	Sewing--code as <u>Seamstress</u>		
090	Shirt maker		

OCCUPATION (numerical listing)

121	Phono pinner	151	Cigar shop
122	Publisher	152	Knitting mill
123	Sewing machine operator	153	Attendant in insane asylum/ state hospital
124	Silk winder	154	Nurse's assistant
125	Street walker	155	Pottery
126	Typesetter	156	Student
127	Cook and Nurse	157	Restaurant/In restaurant
128	Whip maker	158	Studio, worked in
129	Fortune Teller	159	Tannery
130	Reporter	160	Sawing wood
131	Manufacturer	161	Painter
132	Feathermaker	162	Carnival--Show girl
133	Storekeeper	163	Piano Player
134	Nurse and teacher	164	Chef
135	Janitor/janitoress	165	Bleachery
136	Trade, "In trade"	166	Day labor/Day laborer
137 & 138	(error) Real Estate (both numbers have been used for this occupation but use only one when you code)	167	Kitchen worker
139	Dressmaker's apprentice	168	Milk condensery
140	Madam (of a disorderly house)	169	Prostitute
141	Car cleaner	170	Chemical worker
142	Dancer	171	Running a disorderly house
143	Merchant	172	Market woman
144	Phonograph worker	173	Spooler
145	Animal Trainer	174	Teamster
146	Store, worked in	175	Clairvoyant
147	Shoe factory	176	Hotel keeper
148	Silk mill	177	Fur lining maker
149	Hospital worker	178	Cabaret hostess
150	Cut glass cutter	179	Photographer
		180	Bookbinder
		555	"H.W." and "House W." and other terms which could refer to either Housework or Housewife
		666	"None," "No occupation," "Houseworker-- at home" and so on. Do NOT use for blanks.
		777	illegible
		888	usually omitted
		999	no information for this inmate

CARD COLUMN
1 25-26

RELIGION

01	Adventist	22	Methodist Episcopal ("M.E.")
02	Agnostic	23	Missionary Baptist ("Miss. Baptist")
03	Anglican	42	Missions
04	Atheist	40	Mormon
05	Baptist	33	Orthodox (Greek or Russian)
35	Campbellite	24	Pentacostal
06	Catholic (Roman)	25	Presbyterian
39	Centenary M.E.	26	Primitive Baptist
07	Christian	27	Protestant
08	Christian Scientist	45	Quaker
09	Church of Christ ("Christ")	39	Salvation Army
41	Church of England	28	Salvationist
34	Church of God	36	Sanctified Church
10	Congregational	29	Seventh Day Adventist ("7th D.A.")
11	Dunkard	44	Shaker
12	Dutch Reform	30	Unitarian
13	Episcopal	31	United Brethren
14	Free Thinker	32	Universalist
46	Grace Church		
15	Greek Catholic		
16	Hebrew	66	"None," "Irreligious," etc. Do NOT use for blanks
17	Holiness, Holy, Holy Roller	77	illegible
18	Jewish	88	usually omitted
19	Latter Day Saint	99	no information for this inmate
37	Lutheran/German Lutheran		
43	Me. Christian		
20	Mennonite		
21	Methodist/Free Methodist		

CARD COLUMN
1 27

MARITAL STATUS

1	Single
2	Married
3	Common-law or Cohabitation
4	Separated
5	Divorced--also code "annuled" as a 5
6	Widowed
7	illegible
8	usually omitted
9	no information for this inmate

--NOW BEGINS CARD TWO--

CARD 2 COLUMN 1-6

ID. NO.

Column 1: State and Prison

- 1 Tennessee State Penitentiary
2 New York--Auburn
3 New York--Albion
4 Ohio Penitentiary
5 Ohio Reformatory
6 California

Columns 2-5: Case Number

Same as for card 1 (see page 2)

Column 6: Card Number

2 (for card #2)

OFFENSE

2 7-15
(I: 7-9
II: 10-12
III: 13-15)

See next page.

- NOTES: (1) Arson (unmodified) is miscoded on some of the first-printed data collection form as 016 (it should be 014). This error was recognized before any coding took place and thus has not affected the actual collection of data.
(2) Forgery - For prisons 1 and 2, Forgery 3rd degree was collapsed into 061. Albion data- degrees not collapsed into 061 but rather:
2d degree - 116
3d degree - 171
Forgery (unmodified) - 061
Ohio data handled like Albion data.

OFFENSES (alphabetical listing)

(list revised 6-80)

- 001 Abandonment/abandonment of child or infant
113 Abduction
002 Abortion (procuring or administering)
003 Accessory after the fact to murder
004 Accessory after the fact to murder 1st degree
005 Accessory after the fact to murder 2d degree
006 Accessory before the fact to murder
007 Accessory before the fact to murder 1st degree
008 Accessory before the fact to murder 2d degree
221 Accessory to rape on person under 16
009 Adultery/Cohabiting in a state of adultery (Oh.)
010 Aiding and abetting attempted voluntary manslaughter
011 Aiding and abetting in carnal knowledge of a female under the age of consent
012 Aiding and abetting violation of age of consent law
013 Aiding escape/jail delivery/conveying into prison things with intent to aid an escape
014 Arson (unmodified)
015 Arson 1st degree
016 Arson 2d degree
133 Arson 3d degree
017 Arson and housebreaking (listed together)
018 Arson and houseburning
019 Assault (unmodified) ("asst.")
020 Assault and battery
021 "Assault etc."
114 Assault 1st degree
112 Assault 2d degree
157 Assault 3d degree/assault 3d degree and using threatening language
022 Assault to commit a felony
023 Assault to commit murder/to kill
024 Assault to commit murder 1st degree
025 Assault to commit murder 2d degree
026 Assault to commit manslaughter/voluntary manslaughter
212 Assault to maim
027 Assault to rob
028 Assault with dangerous/deadly weapon
227 Associating with dissolute persons
154 Associating with prostitutes
131 Attempted abduction
220 Attempted abortion
029 Attempted arson
122 Attempted arson 2d degree
115 Attempted arson 3d degree
135 Attempted burglary (any degree)
147 Attempted extortion
166 Attempted forgery (all degrees)
167 Attempted Housebreaking
143 Attempted kidnapping

OFFENSES (alphabetical listing)

- 030 Attempted larceny/attempted grand larceny--any and all degrees for both
- 145 Attempted rape 1st degree
- 140 Attempted suicide
- 031 Attempt to commit felony
- 032 Attempt to commit murder
- 033 Attempt to commit murder 1st degree
- 034 Attempt to commit murder 2d degree
- 035 Attempt to commit manslaughter/voluntary manslaughter
- 036 Attempt to commit perjury
- 164 Attempt to entice for immoral purposes
- 037 Attempt to rob/attempted robbery--any degree
- 213 Auto theft

- 038 Bigamy
- 136 Blackmail
- 039 Breaking and entering
- 161 Bribery
- 216 Burglarizing an inhabited building
- 040 Burglary (unmodified)
- 041 Burglary 1st degree
- 042 Burglary 2d degree
- 118 Burglary 2d degree
- 043 Burglary and larceny
- 044 Burglary night time
- 211 Buying stolen property

- 207 Carrying concealed weapon(s)
- 141 Compulsory prostitution of women (Violation Sec. 2460 NYS Penal Law)
- 176 Concealing the birth of a child (NYS Penal Law Sec. 492)
- 045 Concealing stolen property
- 046 Conspiracy (any sort)
- 205 Contempt of court
- 196 Contributing to delinquency (for Contributing to dependency and/or neglect, see Neglecting)
- 177 Corrupting the morals of a child (NYS Penal Law Sec. 494)
- 222 Counterfeiting
- 047 Crime against nature
- 144 Criminal anarchy
- Cutting (Oh.)--code Cutting to Wound as Assault with a deadly weapon and code Cutting to kill as Assault to kill

- 189 Defrauding
- 199 Delinquency
- 048 Disorderly conduct
- 153 Disorderly person/disorderly juvenile
- 049 Disturbance of peace
- 050 Drug offense/drugs
- 051 Drunk and disorderly
- 052 Drunkenness

OFFENSES (alphabetical listing)

- 053 Embezzlement
- 215 Enticing minor and harboring in house of ill fame (Oh.)
- 159 Entering a home with intent to rob
- 142 Escape
- 183 Exposure of person
- 054 Extortion

- 055 False pretense(s)
- 056 Felony
- 057 Felonious assault
- 058 Felonious assault with attempt to commit murder (any degree)
- 059 Felonious breach of trust
- 060 Felony bad check (sic)
- Fencing--see Buying
- 129 Filing forged papers/Violation NY Pen. Code Sec. 95
- 061 Forgery--unmodified (also see Uttering)
- 116 Forgery 2d degree
- 171 Forgery 3d degree (coded separately Albion and Ohio)
- 062 Forgery and attempt to pass forged papers
- 063 Forgery passing forged checks (sic)
- 195 Fornication/cohabiting in a state of fornication (Oh.)
- 152 Frequenting disorderly houses/"bad houses for purposes of prostitution"

- 064 Gambling
- 065 Grand larceny (unmodified)
- 110 Grand larceny 1st degree
- 139 Grand larceny 2d degree
- 120 Grand larceny after a felony

- 151 Habitual drunkenness
- 197 Habitual offender
- 223 Harboring a felon
- 165 Horse stealing
- 138 Housebreaking
- 162 Housebreaking and larceny
- 178 Hypodermic syringe, sale of
- 158 Immorality
- 219 Impersonation
- 066 Incest
- 185 Incurability
- 067 Indecent behavior
- 201 & 226 Inducing illicit intercourse (Oh.) (2 codes for same offense; use either)
- 218 Infanticide
- Inmate of a disorderly house--code as Prostitution
- 068 "Intent to kill"
- 069 Intoxication/public intoxication
- 070 Involuntary manslaughter (IVM, IVMS, In.V.Ms., INVMS)
- 224 Issuing a false statement

OFFENSES (alphabetical listing)

- 156 Keeping bad company
- 150 Keeping a disorderly house/house of ill repute/house of prostitution/
house of assignation/house of ill fame
- 130 Kidnapping
- 071 Larceny (unmodified) and larceny from person
- 149 Larceny 1st degree
- 108 Larceny 2d degree
- 109 Larceny 3d degree
- 072 Larceny and receiving stolen property/goods
- 073 "Larceny etc."
- 074 Lewd and lascivious behavior
- 228 Libel
- 075 Loitering
- 134 Mails, interfering with U.S.
- 132 Maiming
- 126 Making counterfeit money
- 160 Malicious mischief/destruction of property
- 076 Malicious shooting
- 077 Malicious stabbing
- 078 Manslaughter
- 119 Manslaughter 1st degree
- 117 Manslaughter 2d degree
- 079 Mayhem
- 080 Miscegenation
- 081 Murder (unmodified)
- 082 Murder 1st degree
- 083 Murder 1st degree mitg. cir.
- 084 Murder 2d degree
- Narcotics--see Drugs and Violating
- 180 Neglecting one's children (NYS Pen. Law (1918) Sec. 482, subdiv. 1)/
Contributing to dependency and/or neglect of minor children (Oh.)
- 198 Nonsupport of children
- 210 Obscenity/giving away obscene pictures
- 085 Obtaining goods by false pretenses
- 086 Obtaining money under false pretenses
- 225 Pandering
- 087 Passing counterfeit money/bills/paper/coin
- 088 Perjury
- 089 Petit larceny (P.L.)
- 090 Petit larceny and R(eceiving) S(tolen) P(roperty)
- 192 Pocket picking (Oh.)
- 091 Poisoning/well poisoning
- 203 Possessing liquor
- 148 Possession of firearms (in NY: after conviction of felony)
- 230 Procuring arson
- 092 Prostitution/being a common prostitute
- 229 Public Nuisance

OFFENSES (alphabetical listing)

- 146 Rape and abduction
- 231 Rape and incest
- 125 Rape 2d degree
- 093 Receiving and concealing stolen goods (R&CSG)
- 094 Receiving stolen goods/property (RSP)
- 208 Resisting an officer
- 095 Robbery
- 111 Robbery 1st degree
- 127 Robbery 2d degree
- 123 Robbery 3d degree
- 121 Robbery and Grand Larceny
- 188 Saloon visiting
- 096 Seduction
- 097 Setting fire with intent to burn
- 194 Shooting to wound (code Shooting to Kill as Attempted murder) (Oh.)
- 209 Shooting (Oh.)
- 098 Shoplifting
- 128 Sodomy
- 206 Stabbing
- 163 Stealing corn
- 214 Stoning railway car/train
- Street strolling--code as Vagrancy
- 099 Stubborn child/servant
- 232 Suffering gaming
- 187 Thieving
- 217 Throwing stones at a steam vessel
- 100 Transporting
- 155 Truant
- 190 Under immoral influence
- 186 Ungovernable child
- 137 Unlawful marriage
- 193 Unlawful transportation of female
- 184 Unlawfully entering a building (not burglary) (NYS Pen. Law
(1921) Sec. 405)
- 101 Unlawfully receiving stolen property
- 200 Using obscene language
- 202 Uttering bad/forged check or note
- 124 Uttering and passing forged money order
- 102 Vagabondage
- 103 Vagrancy/street strolling
- 104 Violating/violation of narcotics laws
- 204 Violating liquor law
- 172 Violating Sec. 43 of NYS Penal Law
- 234 Violation of Ch. 546, Sec. 146 of NY Laws of 1899 (probably clerical error)

OFFENSES (alphabetical listing)

- 168 Violation of Sec. 8 of Ordinances of the City of Syracuse, NY
- 169 Violation of Sec. 1, Chap. 1, Laws and Ordinances of Schnectady
- Violation of Sec. 145 of City Charter of Little Falls, NY (1928)--
code as Disorderly Conduct
- Violation of NY Penal Law Sec. 100--code as Prostitution
- Violation of Sec. 95 of NY Penal Law--see Filing
- Violation of Sec. 2460 of NY Penal Law--see Compulsory
- 170 Violation of Sec. 11, Chap. 1, Laws and Ordinances of Schnectady, NY
- 174 Violation of Sec. 25 of Chap. 9 of Ordinances of City of Buffalo, NY
- 233 Violation of Sec. 228 of NY Penal Code
- 175 Violation of Sec. 720 of Penal Law of New York (1916)
- 179 Violation of Sec. 17, Chap. 18, Ordinances of City of Syracuse, NY
- 181 Violation of (her) probation/parole
- 182 Violation of all New York City Ordinances other than those listed
separately above
- 105 Voluntary manslaughter

- 191 Without Guardianship/and exposed to immoral influences
- 106 Wanton and lascivious behavior/wantonness
- 107 Wayward/waywardness/being a wayward minor

OFFENSES (numerical listing)

- 001 Abandonment/abandonment of child or infant
- 002 Abortion
- 003 Accessory after the fact to murder
- 004 Accessory after the fact to murder 1st degree
- 005 Accessory after the fact to murder 2d degree
- 006 Accessory before the fact to murder
- 007 Accessory before the fact to murder 1st degree
- 008 Accessory before the fact to murder 2d degree
- 009 Adultery
- 010 Aiding and abetting attempted voluntary manslaughter

- 011 Aiding and abetting in carnal knowledge of a female under the age of consent
- 012 Aiding and abetting violation of age of consent law
- 013 Aiding escape/jail delivery
- 014 Arson (unmodified)
- 015 Arson 1st degree
- 016 Arson 2d degree
- 017 Arson and housebreaking (listed together)
- 018 Arson and houseburning
- 019 Assault (unmodified) ("asst.")
- 020 Assault and battery

- 021 "Assault etc."
- 022 Assault to commit a felony
- 023 Assault to commit murder/to kill
- 024 Assault to commit murder 1st degree
- 025 Assault to commit murder 2d degree
- 026 Assault to commit manslaughter/voluntary manslaughter
- 027 Assault to rob
- 028 Assault with dangerous/deadly weapon
- 029 Attempted arson
- 030 Attempted larceny/attempted grand larceny--any and all degrees for both

- 031 Attempt to commit felony
- 032 Attempt to commit murder
- 033 Attempt to commit murder 1st degree
- 034 Attempt to commit murder 2d degree
- 035 Attempt to commit manslaughter/voluntary manslaughter
- 036 Attempt to commit perjury
- 037 Attempt to rob/attempted robbery--any degree
- 038 Bigamy
- 039 Breaking and entering
- 040 Burglary (unmodified)

OFFENSES (numerical listing)

- 041 Burglary 1st degree
- 042 Burglary 2d degree
- 043 Burglary and larceny
- 044 Burglary night time
- 045 Concealing stolen property
- 046 Conspiracy (any sort)
- 047 Crime against nature
- 048 Disorderly conduct
- 049 Disturbance of peace
- 050 Drug offense/drugs

- 051 Drunk and disorderly
- 052 Drunkenness
- 053 Embezzlement
- 054 Extortion
- 055 False pretense(s)
- 056 Felony
- 057 Felonious assault
- 058 Felonious assault with attempt to commit murder (any degree)
- 059 Felonious breach of trust
- 060 Felony bad check (sic)

- 061 Forgery--all degrees (combine with 116)
- 062 Forgery and attempt to pass forged papers
- 063 Forgery passing forged checks (sic)
- 064 Gambling
- 065 Grand larceny (unmodified)
- 066 Incest
- 067 Indecent behavior
- 068 "Intent to kill"
- 069 Intoxication/public intoxication
- 070 Involuntary manslaughter (IVM, IVMS, In.V.Ms., INVMS)

- 071 Larceny (unmodified) and larceny from person
- 072 Larceny and receiving stolen property/goods
- 073 "Larceny etc."
- 074 Lewd and lascivious behavior
- 075 Loitering
- 076 Malicious shooting
- 077 Malicious stabbing
- 078 Manslaughter
- 079 Mayhem
- 080 Miscegenation

OFFENSES (numerical listing)

- 081 Murder (unmodified)
- 082 Murder 1st degree
- 083 Murder 1st degree mitg. circ.
- 084 Murder 2d degree
- 085 Obtaining goods by false pretenses
- 086 Obtaining money under false pretenses
- 087 Passing counterfeit money/bills/paper/coin
- 088 Perjury
- 089 Petit larceny (P.L.)
- 090 Petit larceny and R(eceiving) S(tolen) P(roperty)

- 091 Poisoning/well poisoning
- 092 Prostitution/being a common prostitute
- 093 Receiving and concealing stolen goods (R&CSG)
- 094 Receiving stolen goods/property (RSP)
- 095 Robbery
- 096 Seduction
- 097 Setting fire with intent to burn
- 098 Shoplifting
- 099 Stubborn child/servant
- 100 Transporting

- 101 Unlawfully receiving stolen property
- 102 Vagabondage
- 103 Vagrancy/street strolling
- 104 Violating/violation of narcotics laws
- 105 Voluntary manslaughter
- 106 Wanton and lascivious behavior/wantonness
- 107 Wayward/waywardness
- 108 Larceny 2d degree
- 109 Larceny 3d degree
- 110 Grand larceny 1st degree

- 111 Robbery 1st degree
- 112 Assault 2d degree
- 113 Abduction
- 114 Assault 1st degree
- 115 Attempted arson 3d degree
- 116 Forgery 2d degree
- 117 Manslaughter 2d degree
- 118 Burglary 3d degree
- 119 Manslaughter 1st degree
- 120 Grand larceny after a felony

OFFENSES (numerical listing)

-25-

121 Robbery and Grand larceny
 122 Attempted arson 2d degree
 123 Robbery 3d degree
 124 Uttering and passing forged money order
 125 Rape 2d degree
 126 Making counterfeit money
 127 Robbery 2d degree
 128 Sodomy
 129 Filing forged papers/Violation N.Y. Pen. Code Sec. 95
 130 Kidnapping

131 Attempted abduction
 132 Maiming
 133 Arson 3d degree
 134 Mails, interfering with U.S.
 135 Attempted burglary (any degree)
 136 Blackmail
 137 Unlawful marriage
 138 Housebreaking
 139 Grand larceny 3d degree
 140 Attempted suicide

141 Compulsory prostitution of women (Violation Sec. 2460 NYS Penal Law)
 142 Escape
 143 Attempted kidnapping
 144 Criminal anarchy
 145 Attempted rape 1st degree
 146 Rape and abduction
 147 Attempted extortion
 148 Possession of firearms (in NY: afterconviction of felony)
 149 Larceny 1st degree
 150 Keeping a disorderly house/house of ill repute/house of prostitution

151 Habitual drunkenness
 152 Frequenting disorderly houses/"frequenting bad houses for purposes of prostitution"
 153 Disorderly person/disorderly juvenile
 154 Associating with prostitutes
 155 Truant
 156 Keeping bad company
 157 Assault 3d degree / assault 3d degree and using threatening language
 158 Immorality
 159 Entering a home with intent to rob
 160 Malicious mischief

OFFENSES (numerical listing)

-26-

161 Bribery
 162 Housebreaking and Larceny
 163 Stealing corn
 164 Attempt to entice for immoral purposes
 165 Horse stealing
 166 Attempted forgery (all degrees)
 167 Attempted housebreaking
 168 Violation of Sec. 8 of Ordinances of Syracuse, NY
 169 Violation of Sec. 1, Chap. 1, Laws and Ordinances of Schnectady, NY
 170 Violation of Sec. 11, Chap. 1, Laws and Ordinances of Schnectady

171 Forgery 3d (this code is used for this offense beginning with the work on Albion prison)
 172 Violating Sec. 43 of NYS Penal Law
 173 Violating Sec. 483 of NYS Penal Law
 174 Violating Sec. 25 of Chap. 9 of Ordinances of the City of Buffalo, NY - soliciting for purposes of prostitution-code as/ combine with code 092

175 Violating Sec. 720 of NYS Penal Law (1916)
 176 Concealing the birth of a child (NYS Penal Law Sec. 492)
 177 Corrupting the morals of a child (NYS Penal Law Sec. 494)
 178 Hypodermic syringe, sale of
 179 Violation of Sec. 17, Chap. 18, Ordinances of City of Syracuse, NY
 180 Neglecting one's children (NYS Penal Law (1918) Sec. 482 Subdiv. 1)/ Contributing to dependency and/or neglect of children (Oh.)

181 Violation of probation
 182 Violation of all city ordinances other than those listed separately above
 183 Exposure of person
 184 Unlawfully entering a building (not burglary) (NYS Penal Law (1921) Sec. 405)
 185 Incurability
 186 Ungovernable child
 187 Thieving
 188 Saloon visiting

189 Defrauding
 190 Under immoral influence

191 Without guardianship/and exposed to immoral influences
 192 Pocket picking
 193 Unlawful transportation of female
 194 Shooting to wound
 195 Fornication
 196 Contributing to delinquency
 197 Habitual offender
 198 Non-support of children
 199 Delinquency
 200 Using obscene language

OFFENSES (numerical listing)

- 201 Inducing illicit intercourse (Oh.)
- 202 Uttering bad/forged check or note
- 203 Possessing liquor
- 204 Violating liquor law
- 205 Contempt of court
- 206 Stabbing
- 207 Carrying concealed weapon(s)
- 208 Resisting an officer
- 209 Shooting
- 210 Obscenity/giving away obscene pictures
- 211 Buying stolen property
- 212 Assault to main
- 213 Auto theft
- 214 Stoning railway car/train
- 215 Enticing and harboring minor in house of ill fame
- 216 Burglarizing an inhabited building
- 217 Throwing stones at a steam vessel
- 218 Infanticide
- 219 Impersonation
- 220 Attempted abortion
- 221 Accessory to rape on person under 16
- 222 Counterfeiting
- 223 Harboring a felon
- 224 Issuing a false statement
- 225 Pandering
- 226 Inducing illicit intercourse (NOTE: This was coded accidentally;
it is the same as #201)
- 227 Associating with dissolute persons
- 228 Libel
- 229 Public nuisance
- 230 Procuring arson
- 231 Rape and incest
- 232 Suffering gaming
- 233 Violation of Seciton 228 of NY Penal Code
- 234 Violation of Chapter 546 Section 146 of NY Laws of 1899
(probably clerical error)

- 666 no indication of a third, or second and third, offense
- 777 illegible or unintelligible
- 888 usually omitted
- 999 no information on this case

SENTENCE

If only one year is given (as in flat sentencing), code the sentence under "max." and for the minimum use this code:

99 15 No minimum given

Code

- 99 12 "Indeterminate" or "Indefinite" (Oh.)--use in the second four columns and in combination with 99 15 in first four columns
- 99 13 Specified term of over 100 years
- 99 14 "Life"
- 99 15 No minimum given (this code should be used ONLY in the "min." columns)
- 77 77 illegible
- 88 88 usually omitted
- 99 99 no information for this inmate

Offense:	I	II	III
min.	YY MM (16-19)	YY MM (24-27)	YY MM (32-35)
Max.	YY MM (20-23)	YY MM (28-31)	YY MM (36-39)

TYPE OF SENTENCE

2 40

- 1 Simple
- 2 Concurrent
- 3 Consecutive
- 4 Simple with punishment in addition to incarceration, such as fine
- 5 Concurrent with punishment in addition to incarceration, such as fine
- 6 Consecutive with punishment in addition to incarceration, such as fine
- 7 illegible
- 8 usually omitted
- 9 no information for this inmate

DATE RECEIVED

2 41-46

MM YYYY

- 77 7777 illegible
- 88 8888 usually omitted
- 99 9999 no information for this inmate

For those who were transferred into Auburn in 1893, I have data on the date they arrived at Auburn (e.g., 05 1893) and also data on the date at which they began serving this sentence in Onondaga Penitentiary, King's County Penitentiary, and so on (e.g., 05 1885). It is the latter data which I am recording in the space for Date Received, for the most important information is how much time did she serve on this charge, irrespective of whether her sentence began at the State Prison for Women (which opened in 1893) or at a different institutions.

	<u>CARD</u>	<u>COLUMN</u>
<u>DATE SENTENCED</u>	2	47-52

MM YYYY

77 7777 illegible
 88 8888 usually omitted
 99 9999 no information for this inmate

	<u>CARD</u>	<u>COLUMN</u>
<u>PRIOR COMMITMENTS</u>	2	53-57

Columns 53-54: Type of Prior

- 01 Previous arrest(s) or conviction(s) but no commitments (e.g., charges dropped, probation)
- 02 Prior commitments both penal and non-penal
- 03 Prior commitment(s), clearly non-penal institution only (e.g., orphanage)
- 04 Prior commitment(s), but one or more of the institutions is difficult to identify as to its status as penal or non-penal
- 05 Prior commitment(s) to a penal institution, but unclear whether it was a jail, penitentiary, reformatory, etc.
- 06 Prior commitment(s) to a juvenile penal institution, jail, county penitentiary, adult reformatory, and/or prison
- 66 "None," "Never," etc. (do NOT use for blanks)
- 77 illegible; unintelligible; impossible to code because of idiosyncratic data
- 88 usually omitted
- 99 no information for this inmate (could imply "None") or not enough information to code this item

Column 55: To juvenile penal institution

- 1 one time
- 2 two times
- 3 three times
- 4 four times
- 5 five times or more
- 6 "None," "Never," etc. (do NOT use for blanks)
- 7 illegible or unintelligible
- 8 usually omitted
- 9 no information for this inmate (could imply "None"): or not enough information to code this item

Column 56: To jail and/or county penitentiary (excluding commitment to jail or penitentiary for current offense before arrival at prison)

1-9 as above for Column 55

Column 57: To state prison and/or state-supported reformatory for adults (exclusive of current commitment and sentence)

1-9 as above for column 55

NOW BEGINS CARD THREE

	<u>CARD</u>	<u>COLUMN</u>
	3	1-6

ID. NO.

Column 1: State and Prison

- 1 Tennessee State Penitentiary
- 2 New York--Auburn
- 3 New York--Albion
- 4 Ohio Penitentiary
- 5 Ohio Reformatory
- 6 California

Columns 2-5: Case Number

Same as for card 1 (see page 2)

Column 6: Card Number

3 (for card 3)

DATE(S) OUT

Occasion of release

<u>1st</u>	<u>2d</u>	<u>3d</u>
MM YYYY (7-12)	MM YYYY (13-18)	MM YYYY (19-24)

66 6666 None given (use this code ONLY under "2d" and "3d" & only if "1st" is given)
 77 7777 illegible
 88 8888 usually omitted
 99 9999 no information for this inmate

3 7-24
 (1st: 7-12
 2d: 13-18
 3d: 19-24)

METHOD OF RELEASE

See next page

3 25-30
 (1st: 25-26
 2d: 27-28
 3d: 29-30)

METHOD OF RELEASE

Columns 25-26: First time out

- Absent with leave--see Temporary Parole
- 26 "Absolute Discharge" or "Discharge" or "Final Release"
- 27 Commitment to another penal/reformatory institution (not transfer but, e.g., from parole)
- 01 "Commutation"
- 21 Commutation but with time added for bad behavior
- 02 Conditional pardon
- 03 Court-ordered (include writ of H.C. here)
- 04 Deportation
- 05 Died or killed (other than execution)
- "Discharge"--see "Absolute Discharge"
- 32 Discharge to care of parents/husband/other relative
- 33 Discharged because sick (T.B. usually and flu)
- 34 Discharged as unfit subject for institution/improper commitment
- 06 Escape
- 07 Execution
- 08 Expiration of sentence without possibility of Good Time-type credits*
- 09 Expiration of sentence with Good Time type credits
- 10 Expiration of sentence, Good Time-type credits possible but denied totally or partially*
- "Final Release"--see "Absolute Discharge"
- 11 Held beyond expiration of sentence, apparently
- 29 Illegal commitment, returned to court or to own home
- 28 Out on informal trial as domestic (preparole)
- 12 Pardon
- 13 Parole to position as domestic**
- 14 Parole to relative or husband.
- 15 Parole, other or to whom/what not indicated
- 37 Payment of fine/costs
- 21 Release before evident legal date
- 35 Released by order of Attorney General or other government agency
- 38 Released to begin new sentence
- 39 Released to Federal authorities
- 25 Remission of fine and then parole
- 16 Reparole
- 23 Reversal of judgement
- 22 Special commutation (Governor reduces sentence to time served)
- 24 Special commutation by Governor followed by parole

METHOD OF RELEASE (continued)

- 36 Temporary parole/absent with leave
- 17 Transfer to institution for insane-(NYS): Rochester State Hospital/ Gowanda; Ohio: Lima; Cleveland State Hospital. Include transfer to hospitals for insane criminals here.
- 18 Transfer to institution for mentally retarded (including Defective Delinquent units)-Rome State School/Letchworth Village/Newark/ Defective Delinquency Unit at B.H.
- 19 Transfer to another penal institution (direct transfer, in contrast to item #27)
- 20 Transfer, other--include discharge to Superintendent of Poor or to a Sherriff
- Writ of Habeus Corpus--see Court-ordered
- 30 Pardoned of one of several sentences (but not all) and then paroled
- 31 Special commutation by Governor followed by expiration with Good Time
- 55 Expiration of sentence but source is not explicit/clear as to whether Good Time-type credits were or were not awarded
- 66 Not given for 2d or 3d release but was given in the first instance
- 77 illegible
- 88 usually omitted
- 99 no information for this inmate
- * "Good Time-type credits" are defined as any time off for good behavior even when, as in Tennessee, it was sometimes called "Honor Grade" time and was awarded in addition to "regular" Good Time credit.
- ** "Position as domestic" is defined as a position involving some form of cleaning, cooking, serving or washing for a private employer or for a state institution.

Columns 27-30

Use code for Columns 25-26

CRIME PARTNERS

CARD 3 COLUMN 31-32

Code only for the current conviction offense.

- 01 No indication of crime partners was noted
02 Indication of 1 female partner was noted
03 Indication of 2 female partners was noted
04 Indication of 3 or more female partners was noted
05 Indication of 1 male partner was noted
06 Indication of 2 male partners was noted
07 Indication of 3 or more male partners was noted
08 Indication of 1 female, 1 male partner was noted
09 Indication of 1 female, 2 male partners was noted
10 Indication of 1 female, 3 or more male partners was noted
11 Indication of 2 female, 1 male partner was noted
12 Indication of 2 female, 2 male partners was noted
13 Indication of 2 female, 3 or more male partners was noted
14 Indication of 3 or more female, 1 male partner was noted
15 Indication of 3 or more female and 2 male partners was noted
16 Indication of 3 or more female and 3 or more male partners was noted
17 Indication of crime partner(s) but not of their number or sex

Source of info. Cross-ref. Cross-ref.
Loc. of Doc.
Type of Doc.
Doc. I.D.
Page

Name Prison No.:

Alias *****

CARD ONE, CARD ONE, CONT., CARD TWO
ID. NO. (1-6)
AGE AT RECEPTION (7-8)
DATE OF BIRTH (9-14)
RACE (15-16)
PLACE OF BIRTH (17-19)
PARENTS' PLACE OF BIRTH(20-21)
OCCUPATION (22-24)
RELIGION (25-26)
MARITAL STATUS (27)
OFFENSE (7-15)
Abortion, Arson, Assault, etc.
Other: I, II, III

END