

DELINQUENCY AND CORRECTIONS IN TOPEKA

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DELINQUENCY AND CORRECTIONS IN TOPEKA

More than sixteen hundred persons were arrested in Topeka in the year ending October, 1913. Had all been arrested the same day this appalling fact would be more easily realized. The number represents more than the whole population of Baldwin, Kansas, or Baxter Springs, or Stockton, or Burlingame, or Altoona; and is a fair indication of the size of the annual quota with which the city's correctional agencies must deal. Quite aside from any question as to whether the proportion of arrests in Topeka as compared with her total population (about 47,000 in 1913) is larger or smaller than proportions in other cities, the fact stands out boldly that in Topeka a very large number of people each year come in contact with these agencies. What her police department, her courts, her jails and her probation officer are doing with these offenders and how far they have kept abreast of developments aimed at more effective study, care and treatment is, therefore, a matter of great public concern. To gather and analyze the facts of the Topeka situation and, upon the basis of these, where it is needed, to outline plans for improvement in accordance with the best modern practices, has been the purpose of this investigation.

Before presenting the details of local conditions, it may be said that in general the essential idea of re-forming prisoners—of fitting them to return to society as self-supporting and law abiding citizens—has not been applied to most of the correctional work of the city of Topeka, or of Shawnee County, in which the city is located. By this it is not implied that the local system is wholly without its credits, for much good service has been rendered. The evidence to be submitted, however, tends to show the city a good way behind what is being done in many other places.

The greatest need of the correctional system in Topeka is a change in point of view concerning the offender and his relation to society. The old idea that punishment should be the chief method of dealing with offenders should give way to the broader idea of protecting society by transforming law breakers into law observers. Experience in nations, states and cities has proved that punishment by confinement has not succeeded in greatly reducing crime. On the other hand, conditions in jails and prisons have tended to make hardened criminals out of prisoners who could, under the influence of intelligent reformatory and educational measures, have been made honest and self supporting. Hardened and hopeless criminals should be confined permanently in prisons and kept at work. Offenders who have not the mental calibre to control their actions should be kept permanently in custodial institutions. But men who are merely beginners in crime or men who break the law through thoughtlessness or lack of education should not be confined with real criminals, and should be given education and training that will develop their self-control and fit them to take care of themselves. Penologists are recognizing more and more the inadequacy of vindictive punishment and are laying increased emphasis upon the development of a system which will, first, prevent crime as far as that is humanly possible, and second, throw every influence after arrest on the preparation of the prisoner for an honest self-supporting life after release. It is from this point of view that the inquiry into Topeka's correctional system is made.

THE POLICE DEPARTMENT.

Through the police law breakers first feel the strong arm of government authority. In the city of Topeka during the year ending October 31, 1913, as indicated above, some 1605 persons were arrested. Of these 42 were children under 16 years of age; 143 females, and 1420 males 16 or over. Seventy-five per cent of all arrested persons, according to best estimates, were permanent residents of the city. During the

same year the maintenance of the police department and the city prison run in connection with it, cost the tax payers \$38,584.06. It is important from the economic as well as the humanitarian standpoint that the greatest possible efficiency be achieved in this expenditure. First of all the city must have adequate service, but obviously it should be obtained at the lowest possible cost.

ADEQUACY OF THE FORCE.

A chief, two sergeants, two detectives, eighteen patrolmen, two policewomen, a matron, two jailers and one driver—29 members in all—make up Topeka's police force. The present number of patrolmen, on account of economies in bringing expenditures within the budget appropriation, is six short of the number employed for the previous year. In comparison with the number on the police forces of other cities of the same size, Topeka's force seems inadequate, as is suggested by the following table:

NUMBER OF PERSONS ON POLICE FORCE

CITIES APPROXIMATELY THE SIZE OF TOPEKA.

(Information obtained from Chiefs of Police in the various cities.)

City.	Population.*	Number.	Number of inhabitants to one policeman.
Augusta, Ga.	48,660	101	482
Tampa, Fla.	44,587	70	637
Chattanooga, Tenn.	47,339	73	648
Little Rock, Ark.	48,710	62	785
McKeesport, Pa.	44,413	52	853
Salem, Mass.	45,427	52	862
Davenport, Ia.	44,766	46	973
Springfield, O.	48,568	48	1012
Haverhill, Mass.	45,665	42	1088
Malden, Mass.	46,805	43	1087
Lancaster, Pa.	48,517	43	1130
El Paso, Tex.	44,645	39	1147
Pueblo, Colo.	47,975	41	1170
Bay City, Mich.	46,153	35	1320
York, Pa.	47,206	35	1350
New Britain, Conn.	47,430	35	1353
Berkeley, Cal.	46,558	34	1370
TOPEKA	46,385	29	1600
Flint, Mich.	44,322	27	1639
Lincoln, Neb.	44,873	17	2637

* 1912 census estimate.

Local facts also bear out the indication that the present force is too small. Only Kansas Avenue, one of the main business streets, and the "Bottoms" (the area where law breaking is most prevalent) are patrolled in the day time. There are no emergency men at headquarters, and when emergency calls come in men often need to be picked up from regular duty by the patrol wagon with a resulting delay which is sometimes very unfortunate. Moreover, hours of work of patrolmen are excessively long—11 to 13 per day—and cannot well be reduced without additions to the force.

It is probable that Topeka with her prohibition and relatively good moral conditions does not need as large a police force as some other cities—particularly cities farther south. It is also probable that the effectiveness of the present men may be somewhat increased by methods to be pointed out. On the other hand, the population in Topeka is comparatively scattered, and the large areas to be covered argue for increased numbers.

The only reason an urgent recommendation for a larger force is not made is that other matters, especially the employment of an adult probation officer, seem deserving of first consideration.

SELECTION OF THE FORCE.

The mayor is ex-officio head of the police department and determines its policy. The chief, who acts as the mayor's first deputy, is appointed by the City Commission upon the mayor's recommendation. He is removable by the mayor at will, so that the responsibility for law enforcement rests squarely upon the mayor.

The chief need not be appointed from the police force, and usually has been an outsider. The present chief, however, has a record of long service in the department. The policy of selecting the chief from the force, whenever a capable candidate representing the right point of view can be found within it, is to be commended; for recognition of service by promotion usually makes for a higher standard of work.

Aside from the chief, members of the force are appointed

by the mayor from a civil service list, upon the chief's recommendation, and are confirmed by the City Commission. Examinations consist of tests in arithmetic, writing, spelling and reading. Physical standards require that men must be at least five feet nine inches in height and weigh not less than 150 pounds. They must also be over 21 and under 46 years of age. No investigation of character is made. Although in a city of Topeka's size a man's general reputation is usually known, it is nevertheless very important that a careful inquiry regarding his character and capacity be made—particularly in view of the qualifications laid down in the Topeka book of police rules—to be quoted later. Candidates for appointment as detectives and sergeants need not be members of the regular force, but must pass special examinations.

The city charter and ordinances do not require a trial period, but the mayor has established the custom of giving men 30 days trial before seeking their confirmation. This is good practice as far as it goes, but the period should be lengthened at least to three months, and the procedure should be backed by city ordinance.

SALARIES.

Topeka pays smaller salaries to policemen than most cities of the same size. The beginning salary for patrolmen is the lowest of any city of Topeka's proportions in the country, for which information is available (20 in all) and the highest salary in Topeka is below that of 11, equal to that of four, and greater than that of only four cities. In earnings of patrolmen during the first five years of service the city ranks fourteenth among twenty cities having from 44,000 to 49,000 population. Details of earnings are given on the next page.

Very low beginning salaries are unfortunate, for a patrolman in his first month must purchase his uniform and necessary accompaniments. It was claimed in the recent New York City police investigations, and seems altogether reasonable, that low starting salaries and expense for equipment at that time greatly increased the temptation to accept loans from unscrupulous parties and to begin careers of corruption.

YEARLY SALARIES OF PATROLMEN

City	Beginning salary	Advances	Highest salary	First five years earnings.	Five year rank.
El Paso.....	\$1020	none	\$1020	\$5100	3
Haverhill*.....	1003	none	1003	5015	4
McKeesport.....	1003	none	1003	5015	4
Salem*.....	1003	none	1003	5015	4
Berkeley.....	960 1st yr.	1080 2d yr.	1200 after 2 yrs.	5640	1
Pueblo.....	960	none	960	4800	10
Little Rock.....	924 1st yr.	990 2d yr.	990	4884	8
New Britain*.....	912 1st & 2nd yr.	1003 next 3 yrs.	1095 after 5 yrs.	4833	9
Malden, Mass.....	912 1st yr.	1003 next 3 yrs.	1200 after 3 yrs.	5318	2
Augusta.....	900	none	900	4500	12
Davenport.....	900	none	900	4500	12
Tampa, Fla.....	900 1st yr.	960 2d yr.	1080 after 4 yrs. [†]	4980	7
Bay City.....	840	none	840	4200	17
Lincoln, Neb.....	840	none	840	4200	17
Springfield, O.....	840 1st 6 mos.	960 thereafter	960	4740	11
Chatanooga.....	810 1st yr.	840 2d year	900 after 2 yrs.	4350	15
Flint, Mich.....	780 1st yr.	840 2d year	900 after 2 yrs.	4320	16
Lancaster, Pa.....	780	none	780	3900	19
York, Pa.....	720	none	720	3600	20
TOPEKA.....	660 1st 3 mos.	780 2d 3 mos.	900 after 6 mos.	4410	14

*Paid by the day. Actual salaries somewhat less because of time off duty.

†\$1020 in third and fourth years.

It is desirable, moreover, that all salaries in the police department be reasonably high enough to attract the right men. A finer conception of the duties of the police force, or of the type of men needed on it, than that outlined in Topeka's book of police rules, would be hard to find:

“It is a life saving force of courageous, high minded, self respecting men, whose business is not the punishing of crime so much as its prevention; and whose greatest duties are those performed as the friends and teachers and helpers of the people. This definition takes for granted the character of men who are fitted to be police officers. In the nature of the case they should be men of the highest physical, mental, and moral standing—men who are clean in body and heart-life.”

But the city cannot start men on 15½¢ per hour—a rate lower than unskilled labor gets in Topeka—ask them to work 11 to 13 hours a day seven days a week, and expect a rush of such candidates as can fill these requirements. If the people want such men in the police department—and it would be well if they did—they will have to pay salaries and provide hours of labor more attractive.

HOURS OF LABOR.

The police force in Topeka is on the two-platoon system. The 18 patrolmen are divided so that six are on day duty, and twelve are on at night. The day men come on duty at 7 in the morning and work till 6 P. M.; the night men come on duty at 6 in the evening and work till 7 A. M.. Every other morning half of the night men get off at 5 A. M. so that alternate days they work 11 and 13 hours. One of the two detectives comes on duty at 11:30 A. M. and is off at 11:30 at night; while the other comes on at 6 P. M. and goes off at 7 in the morning. One sergeant goes on duty at 7 A. M. and is relieved at 6 P. M. by the second who works until 7 A. M. the following morning. The policewomen divide the 24 hours, one going on duty at 8 A. M. and off at 6 P. M., the other going on at 6 P. M. and off at 8 A. M.. The policewomen, of course, do not patrol regular beats. Few other cities of her size work patrolmen as long hours as Topeka.

Detailed comparisons are shown in the table:

PATROLMEN'S HOURS OF DUTY

Cities approximately the size of Topeka.*

City	All patrolmen	Patrolmen on day shift	Patrolmen on night shift
Bay City.	8 hrs.	.....	.....
Chatanooga.	8 hrs.	.....	.....
El Paso.	8 hrs.	.....	.....
Pueblo.	8 hrs.	.....	.....
Salem.	8 hrs.	.....	.....
Tampa.	8 hrs.	.....	.....
Haverhill. . . . .	.....	9 hrs.	8 hrs.
Augusta. . . . .	.....	7 hrs.	10 hrs.
New Britain.	9 hrs.	.....	.....
Flint.	10 hrs.	.....	.....
York.	10 hrs.	.....	.....
McKeesport. . . . .	.....	10 hrs.	11 hrs.
Davenport.	12 hrs.	.....	.....
Springfield, O.	12 hrs.	.....	.....
TOPEKA. . . . .	.....	11 hrs.	11 and 13 hrs. alternating.
Little Rock. . . . .	.....	13 hrs.	11 hrs.

* Information is not available for four of the 20 cities used in previous table.

It is often argued that patrolling a beat is much less taxing than manual labor or factory work; and the answer is often made that policemen are frequently exposed to bad weather conditions for long hours at a time, and that, however light the work may be, the time is not theirs while on duty. But whatever the merits of these views, it is certainly true that the 12 hour day and seven day week does not permit a normal life. Such hours are being severely criticised in industry; they deserve even greater condemnation when the employer is the public.

The three-platoon system for patrolmen with eight hour shifts, and perhaps two hours of duty at headquarters, may not be immediately possible, but should be included in Topeka's civic program of next-steps for the police department. This method of reducing hours for the sake of efficiency is at the same time another reason for enlarging the force.

In addition to active duty on the beat for the hours indicated, night patrolmen must appear during the day in court cases in which they are involved. This often necessitates their being present when court is called at 3:30 in the afternoon,

or in appealed liquor cases, at 9 o'clock in the morning. The effect of this is to further cut down the patrolman's leisure time, to penalize him when by making necessary arrests he does his duty, and to put a premium on inefficiency. It is hardly to be wondered that the men sometimes fail to appear in court when their cases are called. The condition further emphasizes the need for a larger force so that night patrolmen may be relieved of their regular work in proportion to their time in court attendance. With a three-platoon basis, time for court attendance may be subtracted from each man's time on headquarters duty.

It was stated above that the efficiency of the police department could probably be increased without adding to its numbers. Already two methods have been seen by which this might be accomplished: first, by paying salaries and establishing work hours which will attract the best possible candidates; second, by arranging work assignment so that patrolmen will not be penalized for making arrests. Important among other measures for increasing efficiency are the methods used for fitting men for their work.

FITTING PATROLMEN FOR THEIR WORK.

Practically nothing in this line has been done in Topeka. When a man has passed the civil service examination and has received his appointment he is given a police book of rules and placed on an outlying beat. It is assumed that he is fully qualified for his duties, or in this or some other way will soon become so. By referring to the excellent book of police rules before mentioned he reads:

"It shall be the duty of the officer to report unsanitary or disease breeding conditions in dwellings or in open spaces and, as far as possible, assist by intelligent information such families as through ignorance or through intent are living in unsanitary surroundings."—Rule VI.

"For this purpose the officers are urged to acquaint themselves with the fundamental sanitary laws of health so as to be of service whenever their knowledge can thus be given to those who need instruction."—Rule VII.

"It shall also be considered a high duty and privilege for every member of this police force to rescue boys and young men from evil ways * * * ."—Rule VIII.

To fit themselves to carry out this last instruction the rule book requires:

“It shall be the duty of the officers to acquaint themselves intelligently with a knowledge of sex instruction so that they can give instruction to boys and young men who in many cases are known by the police to be in danger of immoral practices * * *.”—Rule XIV.

The point here is that the pamphlet, good as it is, is not enough. Something more is needed to help the men equip themselves for work. For instance, to acquaint men with “the fundamental sanitary laws of health” some one from the city or state boards of health might be invited to explain the laws—if necessary in a few minutes between shifts. So, too, some physician might be invited to present the sex hygiene question in clear and simple terms; and some social worker might outline ways of co-operation between the police and charitable agencies. The juvenile court judge might also be secured to set forth modern principles of handling children. Instruction in first aid to the injured could doubtless be secured from a competent nurse or doctor, and, again the city attorney might instruct the men as to what is legal evidence, and how to present a case in court. Many cases are now lost because of failure to present proper evidence. These are not suggestions based on mere theory. In the large cities where a number of men are added to the force at one time, regular schools of instruction are organized; and in the smaller cities such a plan as here suggested would work toward the same end. Moreover, when new men are appointed to the force they might be sent around for this kind of information from such individuals as above mentioned. Finally, summaries of these matters might be provided in a new book of police rules.

CONTROL OVER PATROLLING.

One of the important duties of the police is the patrol of the city to preserve order and prevent law violations. With only six patrolmen at present available for day duty it is impossible to cover more than the business section and the “Bottoms.”

At night, however, twelve patrolmen are on duty; but

even then the service is inadequate. Two are placed in the "Bottoms", and the others cover the remainder of the city.

Aside from dealing with special cases through the work of detectives, much of the effectiveness of the department in detection of law violations depends upon the patrolmen. Every precaution needs to be taken to insure that they perform their work with the greatest possible efficiency. In the first place assurance needs to be had that they cover their beats. To obtain this some cities employ roundsmen to make tours of inspection. In Topeka sergeants do this work, making rounds twice each shift. Patrolmen are required also to call headquarters on the telephone every hour, but this does not insure that they cover their beats, for not long ago one man was found to have called headquarters from his own home when supposed to be on duty. About five or six years ago a "call back" system was established whereby headquarters rang up the patrolmen, after he hung up the telephone receiver, to insure that he called from the right place. Stores and other places in different parts of the city were designated by the chief as places to call from; but the "call back" system was abandoned four years ago, and the designation of places for calling headquarters was abandoned in April, 1912. Aside from the sergeant's tour every six hours, there is, therefore, at present no real assurance that men cover their beats. Even this much control is considerably nullified by the long time between tours and the difficulty in locating men on their extensive beats.

If the city is to get the greatest efficiency from its police force a signal system will need to be established, just as has been done in the following cities of Topeka's size: Pueblo, Colo., Flint and Bay City, Mich., New Britain, Conn., Lincoln, Neb., Springfield, Ohio, York, McKeesport and Lancaster, Pa., Haverhill, Salem and Malden, Mass., Berkeley, Cal., Chatanooga, Tenn., Davenport, Iowa, Augusta, Ga., and Tampa, Fla. With the location of call boxes in different parts of each beat, and the requirement that men ring in from them, in order, there would be real assurance that the city is effectively patrolled. The installation of call boxes, moreover, will eliminate much of the necessity for sergeants acting as roundsmen, and leave them freer to serve as emerg-

ency men in headquarters. Thus the need for additions to the force will be somewhat lessened, and a saving will be made to partly offset the expense of installation and operation. Before definite plans for such a system are made, however, the city should investigate carefully the possibility of combining the police and fire signal systems. Other cities have found it advantageous to combine them. Until such a system is established the former practice of having the chief designate patrolmen's call places and having headquarters call them back, should be reverted to.

In the light of the opportunities for favoritism and corruption, and the unfortunate experience of some other cities, it is desirable, even though a signal system insures proper covering of beats, to look into conditions of law enforcement in each man's territory. Though making the rounds twice every 12 hours will then be no longer necessary, it will still be desirable that sergeants, as well as the chief, cover the city periodically to learn how patrolmen are performing their duties.

To make this check as effective as possible patrolmen should be required to make daily written reports of violation of law or suspicious conditions observed on their beats. It should also be the duty of sergeants to make written reports of all similar conditions which they observe on their rounds. Only through such reports can the head of the department single out the less efficient men. He may know that certain men are negligent, but without the record he cannot prove it or forcefully reprimand for inefficiency.

APPEARANCE.

The appearance of the force is important. It not only affects the self-respect of the men, but makes for or against their standing with the public, whose good opinion they need for the best work. The city does nothing at present to help toward neat appearance. Formerly confiscated goods were sold and part of the money used for a shoe polishing stand at headquarters. That, however, has been discontinued. Such a stand, and equipment for pressing uniforms, should be maintained for the men. Requirement of uniform collars,

ties and gloves would also add to the neat appearance of the force.

DISCIPLINE AND HONORS.

For the further promotion of effective work it is vital that disciplining for poor service be certain and just, and that good service be rewarded. A basis for judging the service is laid down in the police rules. We have already commended the splendid conception of police department duties outlined in the book. An important omission must be noted however. A stringent enactment should be made and enforced requiring that members be present whenever cases in which they are involved are called in court. Laxness as to men being on hand to prosecute their cases has opened opportunity for corruption in some cities, and needs to be guarded against. Moreover, general experience has taught that rules against members of the force accepting money, loans, or other favors, should be enacted and enforced.

Discipline in Topeka is administered by the chief with, of course, the general consent of the mayor. The only penalties for violation of police rules have been suspension without pay for ten days, or dismissal. More elastic forms of discipline are desirable so that minor violations may receive more than a reprimand, and penalties may fit the specific cases. An effective penalty which might be used is deduction from a man's recorded time of service so that his date for increase in pay will be postponed and he will be made to suffer without the department having to lose his much needed service. This plan would not be effective, however, until salary schedules are revised, for a patrolman now gets maximum pay after six months of service.

For the reward of meritorious service no honor system has been developed. Arm bands, stars or other insignia are granted in some cities for each year of meritorious service or for special acts of bravery. For breach of discipline these honors are suspended or withdrawn.

To promote the uses of a merit system a "merit book" should be kept for entering the record of each man's work, cases of violation of the rules, and all honors or special awards. When examinations for promotion are held this book

should be turned over to the Civil Service Commission so that credit may be given for good service.

RETIREMENT.

Finally, in the interest of the best service, a police pension system is desirable. Experience indicates that police pensions tend to promote permanency and faithfulness of service, and they permit retirement without injustice to persons who have long served the city, but have passed their period of usefulness. Topeka is more fortunate than many cities in not having her present force encumbered with men worn out in the service. Now is the time, however, to provide against such a future contingency.

When the city establishes a pension system two matters will need careful attention. First, great care should be exercised to provide a fund adequate to meet the probable demands upon it; it is a job calling for the services of a skilled actuary. Many existing pension schemes unless reorganized are almost certain to fail because established upon a wrong basis. Second, the conditions for retirement should be set forth so clearly and fully that no man may be retired who is still fit for service. It has recently been shown in New York City that several pensioned policemen are drawing good salaries in other departments of the city government. With these dangers properly guarded against, however, a pension system will make for efficiency of service. If the city pays adequate salaries and tenure of office is contingent only upon good service, the men might be required to make reasonable contributions from their earnings.

COMPLAINTS.

Many conditions demanding attention come to the department through complaints of citizens. These are of two kinds: first, complaints regarding violations of the law; second, complaints against patrolmen. In Topeka those of the first sort are usually investigated by plain clothes men, but no record is kept. Such a record giving the person or condition complained of, nature of the complaint, the complainant, and the action taken would, we believe, better insure that all complaints receive proper attention.

When complaints of the second sort are received in Topeka they are investigated if the name of the complainant is given. If anonymous, the matter is "put up" to the patrolman against whom charges are made and then dropped. For some time before the recent police investigations in New York City anonymous complaints had come in alleging misconduct, and these were referred, as in Topeka, to the men complained of. The only result was to warn them to be more careful in concealing their actions. Complaints against policemen, (even the anonymous when they bear any ear marks of being significant), deserve the most careful investigation.

RECORDS.

Adequate records in a police department, as in all undertakings, are the basis for the installation of efficiency methods, and for improving the service. The only records kept in Topeka at present are in a "bum book," containing a list of lodgers, and a police docket, which gives the name, age, sex, nationality, marital condition, occupation and charge against each arrested person. In this book are listed, also, date received, fine collected, and, in part of the cases, the disposition made of arrested persons.

The form of the docket is not altogether adapted for the information now recorded. When a new docket is procured it would be advisable to have it worked out exactly to suit the needs. The desirability, furthermore, in addition to the information now procured, of recording the name and address of the complainant and the address of the arrested party is urged. We would recommend also that all records be kept in ink instead of pencil, and that greater care be used in recording data, including the disposition of arrested persons in all cases.

In addition, a complaint book, and a book containing a record of merits and demerits are, as already indicated, desirable. Besides these Topeka needs an identification system. The city formerly had a rogues gallery, but it was abandoned. Until the time when criminal identification is organized on a national scale, which in spite of its desirability may be many years hence, an adequate identification system should be a part of every well managed police department.

Notices of men wanted by other governmental agencies, many of which are received by the Topeka department, are kept at present in the chief's office. They might be posted on a bulletin board and the members of the force required to examine them from time to time. The need of some such action was indicated during the short period of our investigation when a man wanted by the United States Government whose picture and identification record were in the chief's office was released.

ANNUAL REPORT.

Experts on city methods rightly lay much emphasis upon the publication of annual reports by all city departments. These serve three purposes: first, to show citizens work accomplished during the year together with the cost; second, to show improvements in service and increases or decreases in cost from year to year; third, to permit comparisons between cities so that each may profit by experiences of the others.

No report of the work of Topeka's police department has ever been published, and none even in manuscript is on file in the city clerk's office. The publication of an annual report to contain the following information is recommended:

1. Organization of the force.
2. Itemized receipts and expenditures for the year.
3. Total expenditures over ten year period.
4. Arrests during year classified as offenses against (a) chastity, (b) public policy, (c) the person, (d) property, (in figures and percentages); also whether the complaint was for violation of state law or city ordinance.
5. Age, sex, color, nationality, etc., of arrested persons.
6. Arrests per 1000 population past ten years.
7. Disposition of cases past ten years.
8. Number of repeaters together with number of times arrested (in figures and percentages).
9. Complaints against members of department with disposition of same.
10. Amount of property reported stolen and amount recovered.

11. Opportunities for crime prevention in the city.
12. Needs of the department.

LAW ENFORCEMENT POLICY.

Theoretically there is no latitude for variations in police policy, for the officers are supposed to enforce the law which appears on the statute books regardless of personal opinions or attitude toward the law-breaker. Practically police policy varies from city to city, and from administration to administration in the same city. The most important points of difference relate: first, to the attitude of the department toward bawdy houses, gambling places and the like; second, to their attitude in making arrests for minor and technical offenses.

Suppression versus toleration, as applied to gambling places and bawdy houses, has been the subject of many a heated discussion of public policy, and the prime issue of many a municipal campaign. Prohibition, in Kansas, puts places where liquor is sold in the same category.

The present administration in Topeka has rightly, we believe, taken the stand that these places should be suppressed. John Doe warrants are issued for all suspected boot-legging establishments, gambling joints and bawdy houses so that policemen may enter and search at any time. There can be no real justification under any conditions for a police department failing to use its best endeavors to secure compliance with the law. To do so is to fall into the same category with the prisoner in jail who is arrested for obeying his personal inclination rather than the established rules of society.

This is not to say, however, that the police should not discriminate in making arrests. To secure compliance with the law, not to make arrests, is the prime purpose of the department; and if compliance can be obtained without such action the welfare of society and the individual is the better served. In crimes clearly involving moral turpitude, as it is commonly understood, the welfare of neither society nor the individual is served by letting law breakers go free. For their own good, and for society's, persons guilty of such offenses indicating degeneracy need care and treatment until

reformed. But for minor and technical offenses the situation is reversed. Usually arrest in such cases serves neither the interest of society nor the individual. On the contrary it has two bad effects; first, it brings upon persons guilty of minor offenses, often young persons, the stigma of arrest; second, it groups together those guilty of "lesser" and those guilty of serious offenses, and so confuses the real justice of society's action in refusing certain persons their liberty. This does not mean that the police should not insist at all times that the law be obeyed. But usually persistent vigi-



CONFISCATED "BOOZE" IN BASEMENT CITY PRISON.

An incidental evidence of the law enforcement policy in Topeka.

lance on their part, and friendly warning will in these cases secure compliance. If the offender persists in his violation arrest will of course be necessary. Of the 1605 persons arrested in Topeka in the year ending October 31st, 1913, 392 were arrested for acts indicating no fundamental degeneracy. Most of them were minor or technical violations, such as burning garbage unprotected, riding a bicycle on the sidewalk, minor in a pool room, leaving horse unhitched, etc. The details of these cases are not available, but in such instances arrest should ordinarily be made only as a last resort. In

other words, police policy in these matters offers an opportunity for crime prevention upon which the police rules rightly lay emphasis.

Such a policy, if not safeguarded, also offers opportunity for abuse, even for corruption. Right discrimination here is vitally important. If, however, daily written reports are filed by patrolmen showing all violations of law which they observe, misuse of freedom in making arrests can be checked.

THE POLICEWOMEN.

In regard to crime prevention, the work of Topeka's two policewomen and the police matron should be noted. During the six months prior to November 1st these three handled approximately 300 girls and women outside of court, many of whom were homeless, friendless or mistreated, and treading on dangerous ground. It can never be known, of course, just how many of these women and girls were saved from lives of immorality; but it is on this preventive side that emphasis is needed, not only in work among women and girls, but among men and boys as well. The city in her provision of policewomen, has established a policy fast gaining acceptance in other cities.

CONCLUSIONS.

The present police department of Topeka has some good features. We commend, for instance, its book of police rules, its provision of policewomen, and its policy of suppression against liquor, gambling and vice. But it is in a class with the departments of most cities under 75,000 population where modern methods for thorough efficiency are seldom found. We believe that the following recommendations (arranged in the order discussed in the report) if adopted, would greatly improve Topeka's police service.

1. Sufficient increase in the force to meet present demands.
2. Enactment of an ordinance giving new men a three months trial before confirming appointment.
3. Establishment for patrolmen of a minimum salary of \$75 a month with graduated increase for meritorious service.

4. Establishment of a three platoon system with 8 hour shifts, and, perhaps, a requirement of one or two hours of headquarter service.

5. Abolition of the system whereby night men are penalized for making arrests.

6. Better provision for fitting men for their work.

7. Installation of a signal system.

8. Requirement that men file daily written reports of conditions observed on their beats.

9. Better provisions for securing neat appearance of men.

10. Establishment of a more elastic system of penalties for violation of police rules.

11. Installation of an honor system for the reward of merit.

12. Enactment and strict enforcement of a rule requiring men to be in court when cases in which they are involved are called.

13. Establishment of a pension system to permit the retirement of men who have passed their period of usefulness.

14. Keeping a book of complaints.

15. Careful investigation of complaints against members of the force.

16. Improvement in form and method of keeping police docket.

17. Installation of an adequate system for the identification of criminals.

18. Publication of an annual report.

19. Adoption of policy of discrimination in making arrests and increased emphasis upon crime prevention.

In this report an attempt has been made to point out not only what is immediately possible in the reorganization of the police department; but to outline a program reaching further into the future, which, if adopted, would give the city as good service as possible for the least money. Obviously some of the suggested changes are too far-reaching and call for too great an expenditure to be immediately possible. Others, however, especially those numbered 2, 6, 8, 9, 10, 11, 12, 14, 15, 16, 18, and 19 do not present such difficulties. The fact that the program calls for radical changes is not

a criticism of those now at the head of the department, for they have inherited the present system from past administrations, and have been in office but a short time. The recommendations, with their immediate and future features, are commended to the careful consideration of the department and of the citizens whose support must be had if the measures are to be carried out.

COURT PENALTIES.

The present generation is accustomed to congratulate itself that the unjust day is past when a man may be thrown into jail because he is unable to pay his debts. Yet every prisoner confined on sentence in the Topeka city jail is held because he is in debt to the city for the amount of the fine assessed against him. Except in rare cases where persons able to pay a fine go to jail by preference, poverty is the sole cause for imprisonment. This results from the fact that fines are the only penalties meted out for violation of city ordinances.

The poor man, compared with the rich man, does not get justice before Topeka's law. Take, for instance, two men, one with money and one without, each guilty of the same offense—drunkenness. The man with money furnishes bail—usually ten dollars. If he chooses not to appear when his case is called, bail is forfeited, and the matter is dropped. This practice is vicious. Bail should be forfeited and the defaulter prosecuted. Otherwise his bail is returned when he presents himself in court. The poor man, not being able to furnish bail, is thrown into jail to await trial. The man with money, if he chooses to stand trial, is represented by a skilled attorney—which increases his chance for going free. The poor man with no attorney, is much more likely to be convicted. If the rich man is found guilty he is fined ten dollars, which he pays and gains his freedom. The poor man is also fined ten dollars. Not being able to pay he is thrown into jail to work his fine off on the rock pile at the rate of one dollar a day. In the meantime his family, if he has one, suffers, and he more than likely loses his job. The violation of the law is the same in both cases, the fine is the same; but the

penalty is not the same. The poor man pays the rich man's penalty a hundred times over.

The poor man is at a disadvantage in three particulars: first, he cannot gain his freedom before trial by furnishing bail; second, he cannot employ an attorney; third, he cannot gain his freedom after conviction by paying his fine. It is almost axiomatic that if a law is to gain respect it must deserve it, and it is clear that these inequalities should, as far as possible, be eliminated. They will be taken up in order.

DETENTION BEFORE TRIAL.

Theoretically no man's freedom should be taken from him until he is proved guilty of offense. The bail system, which permits the release of those who furnish guarantee of their appearance for trial, is, therefore, essentially just. Some persons, however, with no funds or friends, cannot furnish such surety, and for practical purposes must be held for trial. This results in different treatment for those with and those without money, which, however, seems unavoidable. Greater justice would not be served by the abolition of the bail system. The city should see, however, that these persons are brought to trial as speedily as possible. Their cases should be given preference over all others.

The holding of police court twice daily in Topeka promotes quick action. The city should also provide clean, comfortable detention quarters apart from convicted prisoners, and this has not been done. Persons awaiting trial at present are thrown in with other prisoners under conditions, especially in the men's wards, which are a menace to both health and morals. A remedy for this condition will be suggested when we come to the jail system.

FREE LEGAL AID.

In her small debtor's court, where no attorneys are allowed, Topeka has guaranteed the poor man something like equal chances with the rich man in civil procedures where small amounts are involved. Like chances in criminal procedures should be granted. This has been done in some cities

—Los Angeles among others—through the establishment of the office of public defender. The State of Oklahoma has such an officer working in connection with the Department of Charities and rendering valuable service. Chairtable societies in some cities support such work. The need in Topeka is apparent.

FINES VS. IMPRISONMENT.

To remedy the last inequality fines, as the sole punishment for violations of city ordinances, should be abandoned. As a means for inflicting just penalty upon law-breakers, which has supposedly been the aim of court decisions, they cannot be defended for they bear very unequally on different individuals. As a means to the protection of society through offenders' reformation, which should be the aim of court decisions, they likewise fail.* To those well able to pay them, fines mean nothing. To those who pay them, and miss the money, they probably have a slight but rather ineffective deterrent influence. To those unable to pay, they lead to detention, which holds possibilities for reformation. These possibilities are, however, hindered by the prisoner's knowledge that he is really confined for poverty, and that persons with more money but guilty of the same offense, have gone free, with little real discomfort. Most prisoners, of course, have not the mental ability to see the facts exactly in their right relations; but they are, nevertheless, inarticulately aware of the real injustice which exists, and may become embittered against society and discouraged from attempting improvement.

Imprisonment should be allowed for all violations of law; but imprisonment for poverty should cease. A fine may sometimes be of service in placing a man on probation to work it off, and in some cases where the offense does not indicate degeneracy, but it should be inflicted only when it will aid in making the law-breaker a law-abiding citizen.

* Fines for prostitution, violation of the liquor law and similar offenses sometimes tend to increase rather than diminish violators' activities, for they must earn money to repay those who have advanced money for their fines.

PRISONERS' REFORMATION THE BASIS FOR COURT DECISIONS.

Reformation should, in fact, be the basis for court judgment in practically all cases. When the reformation of an offender will be best promoted by giving him his freedom (under the supervision of a probation officer when one is provided) the offender whether rich or poor should be given his freedom. When such reformation will be promoted best by his imprisonment, he should be imprisoned, whatever his financial standing. Of course society's, not the prisoner's interest, is the ultimate end to be served; but seldom can a court better serve that end than by such action as will help to fit the prisoner to return as a safe citizen.

If we accept this viewpoint that offenders' sentences should be fixed not for the purpose of punishing them, but with the idea of transforming them into law observers, then the folly of putting a confirmed alcoholic behind the bars for ten days becomes apparent. His regeneration cannot be wrought in that time. In fact the folly of all sentences of less than 30 days is clear. The day seems almost at hand when we are to witness a complete overthrow of the time honored practice of having the courts fix the period for confining prisoners. No court can tell ahead of time how long an offender will need to be held under restraint in order to fit him for society, and no offender should be turned loose until he is fit. When the readjustment has been made the court will determine whether an offender is in need of care and training by the state, but the time of detention will be left to the board of parole of the jail, who from intimate knowledge of the prisoner's progress can best determine when he should be set free.

A partial indeterminate sentence is already in use in many cities and institutions. The city of Topeka and State of Kansas would take a place in the forefront of penal reform by the enactment of a law fixing an entirely indeterminate sentence. If this is not immediately possible, however, a law should be secured permitting the parole of prisoners when half of their time is served, in case their conduct warrants the belief that they are likely to become law abiding members of society.

Our recommendations are:

1. That trial of persons unable to furnish bail be given preference over all others; and be pressed as speedily as possible.
2. That persons awaiting trial be detained in clean comfortable quarters apart from convicted persons.
3. That free legal aid in criminal cases be furnished, either by the city or by some other organization.
4. That imprisonment be permitted for violation of all city ordinances.
5. That whenever feasible offenders be placed on probation and given a chance to work out their rehabilitation with the friendly assistance of a trained probation officer.
6. That court decisions be framed in each particular case, as an answer to the question—What will best promote the offender's conversion into a law abiding citizen?
7. That an effort be made to secure legislation providing for at least partial indeterminate sentences.

THE CITY AND COUNTY JAILS.

A court which aimed to follow a policy of sending to jail only persons who, by such sentences, would be helped toward becoming law abiding citizens, would make very restricted use of either the city or county jail in Topeka. There can be no doubt that fear of punishment in these institutions has some deterrent effect upon the commission of crime; but it is also quite certain that most of the prisoners confined in the jails are weakened physically and morally by the experience.

Throughout the country there is urgent need for the application of modern ideas in prison management to city and county jails, and Topeka is one of the cities where the need is most clearly evident. Both of these institutions in Topeka in location, construction and management are relics of a by-gone penology which made punishment the purpose of jail sentence. According to the modern conception of jail sentences, the jail management should aim:

- (1) to surround prisoners with influences which will renew their self respect and promote self improvement;

(2) to instruct them, as far as possible, in some kind of work they may do when released;

(3) to build them up physically.

A few cities have already begun such programs. One of them, Kansas City, Mo., is so near Topeka that her successful methods may easily be profitted by. Incidentally it



“BULL PEN” TOPEKA CITY PRISON.

In this room are placed male persons over 16 years of age awaiting trial, held on suspicion, convicted of crime, and in need of lodging. Bunks are provided for 22 persons, although as many as 52 have been held at one time. Pail in center serves as bath tub.

is interesting to note that the superintendent of the Kansas City Board of Public Welfare, under whose supervision this work has been done, is a former resident of Topeka, and a graduate of Washburn College.

Prisoners are confined in the Topeka city jail from one to 250 days, and in the county jail from one day to 14 months. The maximum sentences, however, are unusual; and most offenders are not long enough in jail to permit the thorough operation of forces for their mental training or moral regeneration. A change in this condition by the abolition of very short sentences is, as already indicated, desirable. But even the fact that many sentences are short does not alter

the wisdom of making all possible efforts for the improvement of prisoners and of removing conditions which have a downward pull. For building up prisoners' physical condition quicker results are possible and much may be accomplished even in short periods.

TREATMENT BEFORE IMPRISONMENT.

If the aim of imprisonment is to help the prisoner, he should enter jail feeling that the authorities are friendly and ready to act in his interests. It is important, therefore, as heretofore pointed out, that his treatment by the police and the court serve to establish in the prisoner this attitude of mind.

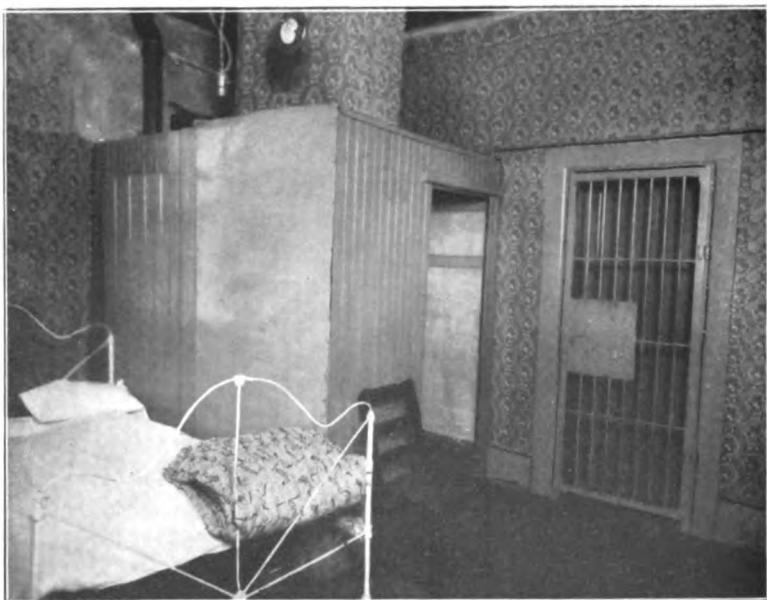
CLASSIFICATION OF PRISONERS.

Inside the prison it is extremely important that young persons and first offenders be confined apart from those confirmed in crime.

The Kansas law makes provision for the separation of persons under from those over 16 years of age by prohibiting the imprisonment of children in jails. Unfortunately, however, no juvenile detention home has been provided in Topeka and compliance with the law has not always been possible. It has been the policy of the authorities to send children home and hold their parents or guardians responsible for their appearance for trial. Occasionally, however, delinquent children have no homes to which they may be sent and in such cases they have been confined in either the city or county jail. The Young Women's Christian Association has offered to keep girls who are dependent, but homeless boys are kept, like delinquent boys, in one of the jails. In the city jail girls are kept by the matron in her room, and for boys a room in the women's ward with a window looking out on the jail yard, where the men break rock, is provided. In the county jail the cell for children is apart from the main cell room, but near the padded cell where insane persons and prisoners with delirium tremens are kept. Not only is such confinement of children against the state law, it is also against sound public policy, and as soon as a detention home can be provided, should be abandoned.

In the meantime if dependent children must be held the court might well follow the plan which has worked successfully in Boston, by which an assignment is made with a few families of good character who will board the children, pending permanent disposition.

Aside from the separation of children from other delinquents the only classification of prisoners in either the city or county jail is the separation of males from females. Both institutions provide separate quarters for men and women, and in each a matron is in charge of the women's ward. But within the wards there is no classification. Those held for trial and those held upon suspicion—as yet presumed to be innocent—are thrown in with convicted prisoners. Young girls, little over 16 years of age, are confined with hardened prostitutes; and lads of like years with old rounders. Whites, blacks, Mexicans, Indians—all are herded together. Under these conditions possibilities for the spread of disease and for debauchery are very great.



BOYS' ROOM IN CITY PRISON.

Located in women's ward; the one window looks out on rock pile.



PRISONERS WORKING IN STONE QUARRY.
Kansas City Municipal Farm.

The following description by Judge James A. Collins of the City Court of Indianapolis might aptly be applied to conditions in either of the Topeka jails:

“To the first offender a term of imprisonment in jail is not a term in a house of correction, but is a term in a house of corruption. Once the barred doors of the jail are closed upon the unhappy prisoner his lot is the common lot of all. He becomes the forced associate of hardened criminals. His self-respect is gone, his will is weakened, and his mind is made ready to receive instructions in crime proffered to him on every hand.”

The importance of a proper classification of prisoners cannot be over-emphasized, and any solution of Topeka's jail situation must consider it as a fundamental proposition. The bull-pen must go; and separate cells, one for each prisoner, must be arranged if even a beginning is to be made in decent jail management.

MORAL TRAINING.

On the positive side religion is a potent influence for moral reformation, particularly when brought by some one who understands the life conditions of the average prisoner. At the present time groups of young men from the Young Men's Christian Association and churches hold Sunday services in both jails. This is good as far as it goes though the jailers report that the prisoners “take little stock in it.” When the system is reorganized some one who can take more than a passing interest in the men should be included for

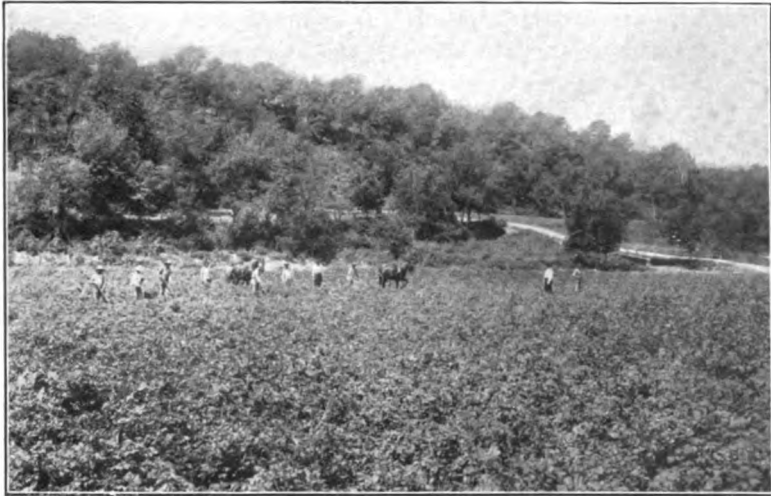
promoting their moral training. This need not be his sole occupation but he should be selected with this end in view.

WORK FOR PRISONERS.

Sentences of most prisoners, at present, are too short to offer much opportunity for mental training. At the same time it needs to be recognized that lack of mental training, resulting in industrial inefficiency, and, carried a step further, in idleness, is a factor in criminality. Of the 1605 prisoners arrested in the year ending October 31, 54 were without occupations; 428, or over one-fourth, were unskilled laborers; and, with few exceptions, the occupations represented required but little skill. It is probable, moreover, that most of those claiming to follow skilled occupations had little proficiency. Training for work obviously should be provided long before the prison door clangs behind its victim; but it is also true that if the object of a jail sentence is to convert law-breakers into law-observers, everything possible should be done to train prisoners to proficiency in occupations they may follow upon their release. Work should be provided



ROCK PILE TOPEKA CITY PRISON.
Contrast with scene on opposite page.



FARM WORK FOR PRISONERS.

Kansas City Municipal Farm.

with this and the prisoner's physical and moral upbuilding in view. A secondary purpose should be to put the jail, as far as possible, on a self-supporting basis.

In the men's ward of the county jail no work is provided and, except for four trustees who care for the building, the prisoners idle away their time. The jailer reported that the men like the institution; and it is more than probable that a number, not inclined to work and having dropped to a point where they feel no humiliation in a jail sentence, annually plan to winter there. In jail they find food, warmth, and a bed, with no work, and time to play cards or shoot craps; the latter a privilege the law denies them outside—for which, in fact, they may be thrown into jail. Clean, warm, light, well-ventilated quarters, and good food for prisoners are essential; so too is provision for wholesome recreation: but these things, without work, make the jail a resting-place for loafers. Work of the right kind is clearly desirable.

In the women's wards of both jails no regular work is provided, but the matrons have encouraged the women to do fancy work, at which some have become quite proficient.

In the men's department of the city jail prisoners break

rock. No record is kept of the quantity broken each year, but in money return to the city the amount is negligible. It probably costs more to haul the rock to and from the jail than it would to buy it crushed in the market. From the standpoint of its effect on the men however the work is almost certainly beneficial. Men are less likely to seek winter quarters in the city than in the county jail; and if they do, they cannot spend their time in idleness. At the same time it must be recognized that breaking rock, though commonly used as jail labor, is very unsuitable work as far as upbuilding the prisoner physically or raising his earning power after release is concerned.

What work then, may be provided which will aid in the prisoner's physical and moral upbuilding, teach him skill in some occupation he may follow upon release, and, as far as possible, place the jail upon a self-supporting basis? For the prisoner's health outdoor work requiring all-around exercise is good. For his moral reformation it is advisable to get him away from the city. Kansas offers an extensive field for agricultural workers; and many things point to the desirability of providing farm work for prisoners. Moreover, no other kind of work seems to offer a better opportunity to put the jail on a self-supporting basis; for food products for their own consumption and for other city and county institutions may be raised by the prisoners. The regenerative influence of farm labor for women, as well as for men, has been demonstrated in New York State, in Massachusetts and in Canada.

JAIL LIBRARY.

Obviously training through manual work involves a measure of mental training also. At the same time the mental and also the moral benefit to be derived from good books should not be overlooked. A carefully selected library should be in every jail. It is especially important when prisoners are confined in idleness, as is the case for the most part in Topeka, and yet aside from a few badly worn volumes in the women's ward of the city institution there is no library in either the city or the county jail in Topeka.

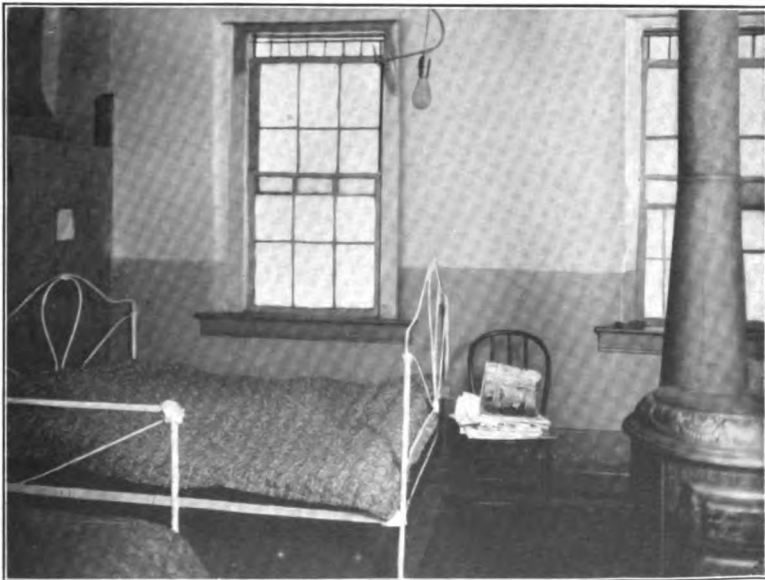
PHYSICAL CARE OF PRISONERS.

But the greatest opportunity for the improvement of prisoners during short term sentences lies along physical lines. A large percent enter jail physically broken. Through hardship or dissipation their health has been undermined, and largely as a result of this their self-control weakened and ambition destroyed. If they are to be placed on their feet again, attention must be given to their physical rejuvenation.

To accomplish this several things are important: Prisoners should be confined under thoroughly wholesome conditions; good food should be supplied; outdoor work should be provided, as has been pointed out; and each prisoner should receive individual examination and treatment.

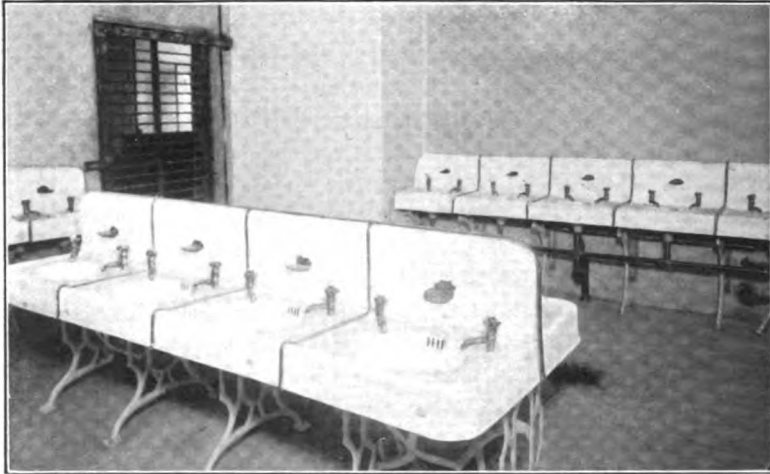
SANITARY CONDITIONS IN TOPEKA'S JAILS.

While the women's ward of the county jail is not attractive in appearance, sanitary conditions are good. Prisoners are confined in a very large room with adequate light and ventilation. Emphasis on cleanliness is everywhere ap-



ROOM IN WOMEN'S WARD CITY PRISON TOPEKA.

Toilet broken; heating inadequate.



PRISONERS' WASH ROOM KANSAS CITY MUNICIPAL FARM.

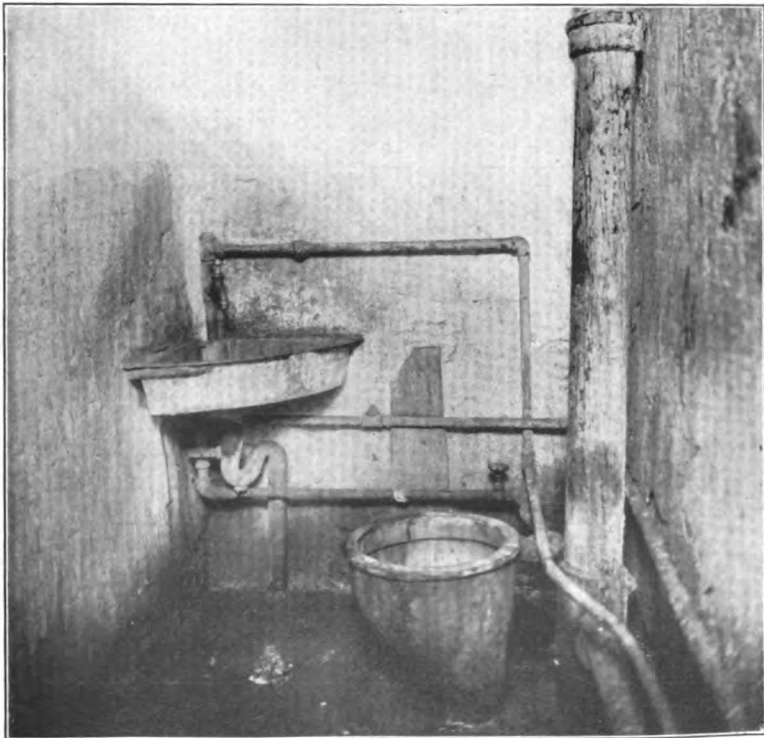
parent. Each woman has a separate cot with bedding, and a toilet room is provided with new fixtures and an enamel bath-tub.

Conditions in the women's ward of the city jail are not as good. Light and ventilation are excellent, and emphasis on cleanliness is apparent; but heating facilities are inadequate. In the part where prisoners are confined there is but one stove and heat is supplied by gas, which in cold weather is so low that the women have trouble keeping warm. Beds are provided, but bedding is too scant for times when the thermometer drops low. The toilet in one of the two women's rooms is broken and unusable; that in the other can be flushed only by pouring water into it. A bath tub is provided; but there is no warm water, and from appearances it is seldom used. A rare bit of barbarism in the absence of soap and towels for washing or bathing is found. The ward is clean, but bare and unattractive—not the kind of a place to make a girl in trouble feel that the city is her friend. The windows front on the street thus permitting prisoners to converse with outsiders, and in spite of the vigilance of the matron, to receive liquor or other articles from their friends.

The men's ward in the county jail is divided into two

sections of eight cells each, one on the first floor, one in the basement. The cells are arranged in the center of the room with a corridor around the outside, but the men have the freedom of the corridor at all times. Ventilation comes from windows which are out of the prisoners' reach, and is not satisfactory. Cell construction is of the lattice type, condemned by penologists because of its resistance to light and air; and it is so dark within the cell structure that artificial lights are kept burning constantly. A toilet room with a bathtub is on each floor and men are required to bathe every Saturday. Four bunks are in each cell, and, as the number of prisoners average about forty, ordinarily two men occupy a cell. A tick, a pillow and two blankets are furnished each man. The blankets are washed monthly.

Conditions in the men's ward of the city prison are even



TOILET FACILITIES CITY PRISON, TOPEKA.

worse. As high as 52 men have been confined in this room which has only 22 bunks and a few pieces of dirty bedding to accommodate them. Heat is from a coal stove and may be regulated by the prisoners to suit themselves. Light and ventilation come from two windows of average size, and, considering the number of inhabitants, are totally inadequate. The result is that the room is hot and close at night, particularly in winter. The toilet, broken and foul, and a wash basin, with no soap or towels, are located in a corner. Except for the toilet the ward is outwardly clean, but the place is infested with vermin. If the men wish to bathe they must use an iron bucket, which serves for all. Opportunities for the spread of communicable diseases—especially venereal diseases which are prevalent among prisoners—are great both here and in the other wards of both institutions, for there are no hospital wards. The only bathing facilities which should be permitted in jails are shower baths, and these should always be provided.

Obviously, if prisoners should be placed in conditions which will promote their physical and moral redemption, both



INSIDE CAGE CORRIDOR AT COUNTY JAIL.

Cell construction of antiquated type, and corridor so dark that lights are turned on at noon.



PRISONERS AT WORK ROAD MAKING.
Kansas City Municipal Farm.

jails in Topeka leave very much to be wished. Tendencies in the opposite direction would be expected from conditions found.

FOOD FOR PRISONERS.

Meals for the prisoners are furnished in the city jail by a contractor; in the county jail by the sheriff. In the city jail there are three, in the county jail two meals a day. Normally most prisoners prior to their detention have been accustomed to three meals a day, and if the jail is to build men up physically, so great a change in their dieting as a reduction to two meals, can hardly be considered wise. Three meals should be served.

Following are the regular menus in Topeka:

CITY JAIL.

Breakfast: two sausages, fried potatoes, three pieces of bread and coffee.

Lunch: boiled meat or beans, three pieces of bread, coffee.

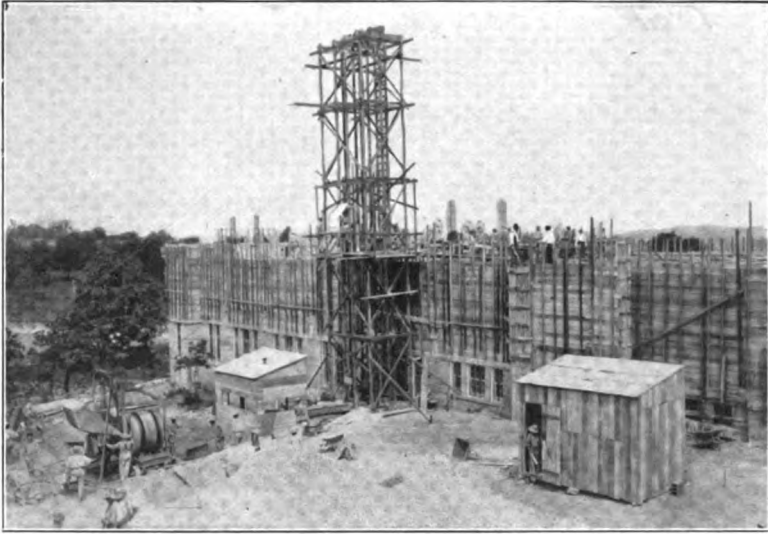
Supper: same as lunch.

COUNTY JAIL.

Breakfast: none.

Lunch: fried liver, half cup gravy, half loaf bread, coffee.

Supper: boiled meat, half loaf bread.



**GENERAL ADMINISTRATION BUILDING UNDER CONSTRUCTION
BY PRISONERS.**

Kansas City Municipal Farm.

The city pays the contractor 11 cents a meal, or 33 cents a day per person for this service. The county allows the sheriff 50 cents per person per day. In the latter case the food is prepared on the jail premises, the county furnishing the fuel.*

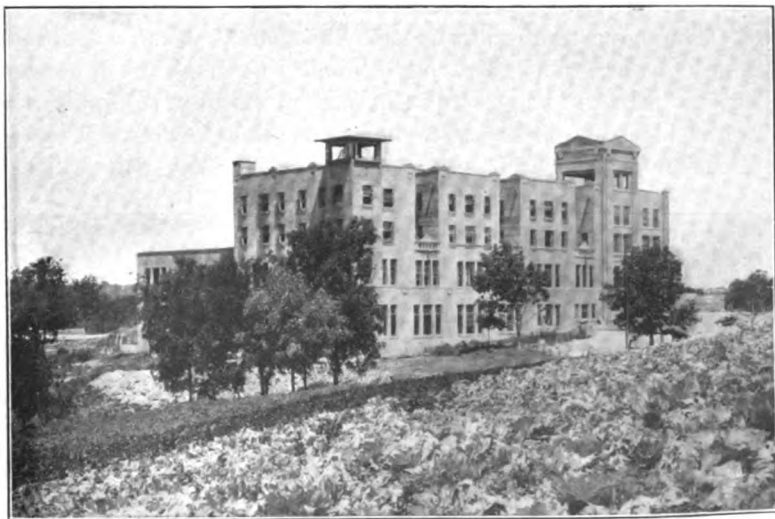
The plan of allowing the sheriff so much per person per day for feeding prisoners is inadvisable. While the present incumbent may feed them satisfactorily, such a plan always makes it to the sheriff's financial advantage to furnish as little and as cheap food as possible. That also is the temptation put before the contractor under the contract system used by the city. Sooner or later either system is almost certain to lead to abuse. If conditions permit, as they do at the county jail, it is advisable to have all food prepared on the jail premises, the city or county standing the exact expense.

* Food is served in both Topeka jails in tin pans and cups. The New York Prison Commission is insistent in recommending crockery dishes for local jails in that state.

The present county allowance of 50 cents per man per day for feeding prisoners is altogether excessive. Judging by expenditures in many other institutions the actual cost to the sheriff per person per day is about half of the 50 cents he receives, and he makes \$2724.50 a year net profit from the transaction. Even if the cost to the sheriff were equal to the 33 cents per man per day, which the city pays, his profit (and the county's loss) would be \$1852.66 a year. In the interest of economy, and the good feeding of prisoners, the present system should be abandoned.

INDIVIDUAL EXAMINATION AND TREATMENT.

Thus far, in considering the physical welfare of prisoners, we have reviewed: first, the work provided for them; second, quarters for confinement; and third, their food. Equally as important as any of these is individual examination and treatment. Healthful outdoor work, wholesome food and sanitary quarters are necessary, but it is also essential to know and to provide for the exact needs of each individual. These may be discovered only by individual phys-



GENERAL ADMINISTRATION BUILDING.

Kansas City Municipal Farm—Constructed by prisoners. Includes dormitory, dining and assembly room, library, locker room, shops and hospital ward.

ical examinations. No such examinations are made in either the city or county jail in Topeka. Prisoners who complain of sickness are treated by the city or county physician, but no attempt is made to discover other ailments or to put prisoners in good physical condition, nor is a hospital ward provided. If a man is an alcoholic, or has a drug habit, no attempt is made toward a cure. Obviously great opportunities to set in motion forces for the prisoners' physical rejuvenation are being overlooked.

WHAT SHOULD BE DONE.

Our whole treatment of the jail situation in Topeka is based upon the promise that the purpose of these institutions should be to re-form, not to punish. If this premise is wrong—if punishment should be the aim—then the two jails are not half bad enough, and the pillory, rack and dungeon should be brought back to make punishment more effective. But if our premise is sound, then radical changes are a necessity, and the community should be ready to make them as rapidly as conditions permit.

The important question then becomes: What should be done? Kansas City, Mo., has a good answer to the question; for, as already suggested, she has attempted to apply the newer ideas in penology to her correctional work. The application is not yet completed, for the county jail still be-



TAILOR SHOP.
Kansas City Municipal Farm.



IN THE CARPENTER SHOP.
Kansas City Municipal Farm.

longs to an age that has passed, and citizens still apologize for the fact that the women's reformatory is near the heart of the city; but Kansas City in her municipal farm for male offenders has pointed the way which Topeka and other cities would do well to follow.

Farm work, we have seen, approaches the ideal occupation for prisoners; and Kansas City has located her jail for men on a farm. There, ten miles south of the city, she has built up an institution, largely through the work of prisoners, which comes near to being a model of its kind.

The prisoner is received there, as in Topeka, physically or morally sick, or both. But the treatment is not the same. In Kansas City he is sent at once to the wash room, where he takes a shower bath and puts on clean, fresh garments—not stripes. His own clothes are cleaned, sterilized and sent to the tailoring department to be patched and pressed so that he may put up a respectable appearance upon release.

From the bath he passes to his physical examination. The doctor goes over him thoroughly, determines what treatment he needs, and classifies him according to the kind and amount of work he should do. If the man is an alcoholic, or if he has a drug habit, and evinces a desire to reform, he is given the cure. So successful has been the work along this line that the courts have begun to give men guilty of drunkenness the maximum sentence so that treatment may be completely effective. In some cases, too, well known families

have brought wayward members into court and asked that they be sentenced to the farm to take the cure under restraint.

If prisoners upon examination are found to be in a serious condition they are confined in a neat white hospital ward, which, in cleanliness, will rival a ward in any private hos-



BLACKSMITHING FOR PRISONERS.
Kansas City Municipal Farm.

pital. A clinic, too, is provided, and an operating table for the performing of simple operations.

Quarters for the men are scrupulously clean and the institution has been designed with the latest ideas of penology in mind, though plans for complete classification will not be possible until the buildings are completed.

Several different kinds of employment are furnished according to the individual prisoner's needs and the necessities in operating the institution. The buildings have been constructed almost entirely by the prisoners and this, besides saving the city money, has furnished excellent work for the men. Prisoners have, moreover, built their own roads, laid over three miles of water mains, extended railroad switches and broken in the farm land. The acreage of tillable land is, unfortunately, as yet too small; but farm work is one of the chief fields for labor. In addition to this, however, and work in the improvement and repair of buildings, there are several other departments using varying amounts of labor. These are the lodging house department, which cares for the dormitories; the restaurant and commissary department; the livery department; blacksmith shop; tailoring shop;

shoe shop and the quarry and grading department. By the use of prisoners for these varying kinds of work the expense of operating the institution is greatly reduced, and the men often learn trades they may follow after release. Moreover the fact that they are kept busy at outdoor work when they need it has a wholesome effect.

Religious services are held Sundays and classes for moral instruction during the week. A library of well selected books is being built up. Everything thought to add to a man's self respect is arranged for. The warden is not called warden but "superintendent." The guards are not called guards but "foremen." The prisoners are not called prisoners but "men." The foremen are mainly tradesmen selected because of their ability to direct the men's work and act as their teachers. The number of foremen or guards has been gradually decreased since the institution was established, and many prisoners are allowed the freedom of the farm unguarded; yet the number of escapes has steadily decreased. From April 1912 to April 1913, there were but 51 escapes as against 28 escapes, from November 1912 to November 1913, in the Topeka city jail, where there are only about two-fifths as many prisoners.

One of the strong influences for promoting good conduct in the institution and the permanent reformation of prisoners is the partial indeterminate sentence. By city ordinance it is provided that if the prisoner has a perfect record, he may be released when two-thirds of his time is up. Not only does this make for good conduct in the institution, but since most of the men earn their release on parole before their full time is up, it provides also for control over them through the parole officer for some time after release; and this is highly desirable.

When a man has earned his release he receives back his own clothes pressed and in good condition. He goes forth neat in appearance, a fit applicant for a job. If he has no money to tide over the days while he is getting his bearings he is permitted to stay at the farm for a week and is paid 50 cents a day for his labor.

THE TWO SYSTEMS IN REVIEW.

Contrast the two systems.

In Topeka the prisoner, if poor, receives no legal aid.

Fined and thrown into jail, he receives no physical examination and is held under conditions which are, if anything, detrimental to his health.

He is either idle or spends his day breaking rock.

He receives no mental stimulation and has no chance to acquire skill in an occupation he may follow upon his release.

Practically no forces are set at work for his moral reformation, but he becomes a forced associate and companion in trouble with hardened criminals.

He leaves the jail penniless and with clothes shabbier than when he entered, to go back without a guiding hand, to the same environment which got him into trouble.

Can the city wonder if he returns in a day, a week, or a month guilty of the same or some more serious offense?

In Kansas City an agent of the parole department is present in court to record the facts in the prisoner's case and lend assistance.

If convicted he is sent to the municipal farm.

Here every influence is uplifting.

He gets a bath and clean clothes.

He is given a physical examination, and effort is made to put him in first class physical condition.

If he is an alcoholic or drug "fiend", and wants it, he is given the cure.

Wholesome work is provided, and if his sentence is extended, he may learn skill in some occupation which will serve him in good stead upon his release.

Partial indeterminate sentence puts him on his good behavior. Every influence from the moral standpoint is for his upbuilding.

He leaves the institution neat in appearance, with money to tide over the first few days, and under the guiding hand of a parole officer paid to help him get employment and to serve as his friend.

Here is a concrete and convenient example of what should be done—one for Topeka to profit by.

Nor is Kansas City the only example. Cleveland,

Toronto, Minneapolis, Washington, and several other cities are conducting successful farm institutions. San Diego, Cal., a city of approximately Topeka's size, in 1912 began the organization of a 7,000 acre farm for delinquents. Many cities and penal institutions moreover are successfully carrying on adult parole work.



IN THE SHOEMAKERS' SHOP.

Prisoners at work, Kansas City Municipal Farm.

For the general reorganization of the Topeka jail system we recommend, therefore:

1. That the present jails be abandoned for use in holding prisoners after conviction and a farm institution be developed instead. No amount of reconstruction can make either satisfactory as a reformatory institution.

2. That the present city prison be remodeled for use as a temporary lock-up for persons awaiting trial and for use as a municipal lodging house.

3. That the present county jail be remodeled for use in holding prisoners pending trial.

4. That the new farm institutional provide at least an acre of tillable land for each prisoner likely to be sent there, and if possible, a site be selected which will permit the development of a stone quarry, and the manufacture of bricks for paving purposes.

5. That plans for buildings be decided upon only after a careful study of needs, and an examination of the best similar institutions in the country.

6. That the superintendent's salary be made large enough to attract a thoroughly capable man. Whether the

institution is to run at a big expense, or is to become self-supporting; and whether it becomes a real reformatory or merely another place of detention will depend largely upon his abilities.

It will be noted that the proposal is to establish a single farm in place of the present jails. There is no sound reason for maintaining two institutions serving the same purpose in essentially the same territory, and to do so incurs continuous needless expense. If legal and other difficulties can be overcome, as they probably can, it is our belief that the city and county should unite in the new undertakings, either through some plan for joint management, or by one agency establishing the institution and the other using it and paying some reasonable sum for the keep of its prisoners, as as done in the State of Illinois and elsewhere.

If, however, there is no immediate chance for agreement on a plan for joint management, neither the city nor county should, if other conditions permit their being carried out, delay plans looking to the establishment of a farm institution.

There is quite a strong conviction among leading penologists in favor of complete abolition of local jails for persons sentenced for 30 days or more, and the establishment of State Farms for misdemeanants, along the lines of the plan in use in Indiana. While there are many advantages in such a method for handling this work, for practical purposes and the improvement, as soon as possible, of the very unwholesome conditions which now exist, the issue should not be confused: with the city and county must lie the task of making the necessary improvements.

For the management of the new farm institution, we recommend:

- a. That the superintendent and all employes be selected, not as mere jailers or guards, but for their ability to promote the reformatory aims of the institution.

- b. That prisoners be classified so as to separate for purposes of confinement males and females, and within the sexes, those over and those under 21 years of age.

- c. That some one be connected with the institution to promote the moral regeneration of the prisoners by individual

work among them, and through the holding of religious services and classes for moral instruction.

d. That besides farm work other industries be established, to provide prisoners with occupations when farm work is lax, and to help put the institution on a self supporting basis.

e. That, as far as possible, the products of the institution be used in supplying the needs of other departments of the city or county governments. A law compelling use of such goods by city and county departments would be desirable.

f. That a library of carefully selected books be built up, or that some arrangement be made by which the city library will furnish prisoners with wholesome reading matter.

g. That the necessary legal changes be secured so that all prisoners will be committed on at least partially indeterminate sentences.

h. That an unpaid parole board be named, perhaps by some division of appointive power between the county and city court judges, and be empowered to parole prisoners when such action will promote their conversion into law-abiding citizens. The board should consist of a lawyer, a physician, and a social worker, clergyman or business man, and should be empowered to appoint a parole officer, who would also act as secretary of the board, at a salary of not less than \$1200 a year.

i. That provision be made for the physical and mental examination of all prisoners upon their entrance to the institution, and for their treatment—including treatment for alcoholism and the drug habit—according to their needs.

j. That food for the prisoners be prepared at the institution, the cost being paid directly by the management.

k. That plain garments be provided, and that the prisoners' own clothes be patched, pressed and returned to them in good condition upon their release.

l. That prisoners be allowed to stay a few days after the completion of their sentences to earn a small amount by their labor, so that they will not need to go forth penniless.

m. That the finances of the institution be placed strictly on a cost accounting basis.

n. That overhead charges for rent, supervision, food, etc., be assessed against each prisoner **and** that the surplus earnings of each man, when there are any, be devoted to the support of his family or, if he has none, be given to him upon his release.

IMMEDIATE IMPROVEMENT OF PRESENT JAILS.

In outlining this rather comprehensive program for the improvement of Topeka's jail system the present jails, as places for detention of convicted prisoners, have been disregarded. This is because neither of these institutions, due to location and construction, can ever be made by any stretch of the imagination a real reformatory institution. This does not mean, however, that some make-shift improvements cannot be made before a farm institution can be obtained. We do not believe that the expenditure of any great sum of money to remodel the old jails is advisable, for their abandonment should be hastened as much as possible. They are fundamentally bad. The adoption of the following suggestions would, however, without the expenditure of much money immediately improve conditions somewhat:

1. Suggestions Applying to Both Jails.

a. Appropriate action should be taken to secure the release of prisoners from both institutions, if their conduct has been perfect, when half of their time is up. A completely indeterminate sentence would be even more desirable.

b. In both jails provision should be made for the physical examination of all prisoners, and efforts made, by individual treatment, to put them in first class physical condition. In the city jail this will necessitate better equipment and heating in the hospital room; in the county jail the provision of a hospital room.

c. Efforts should be made to secure for the prisoners a well selected supply of books, either by obtaining the co-operation of the public library, or by building up separate libraries to be owned by the jails. These should not be cast-off books but books of real worth.

2. Suggestions Applying to the County Jail only.

a. The two sections on different floors of the men's ward should be used for the purpose of separating first offenders and young prisoners from those confirmed in crime.

b. The plan of paying the sheriff 50 cents per person per day for feeding prisoners should be abandoned in the interest of economy and good management. The actual cost of the feeding should be charged against the county.

c. If prospects for the abandonment of the present jail in the near future are not good, the women's ward should be divided into two sections to permit some classification of prisoners.

3. Suggestions Applying to the City Jail Only.

a. Toilets in the women's ward should be repaired and a new enclosed toilet of a non-breakable model should be installed in the men's ward.

b. Prisoners should not be given the freedom of the women's ward, but the two rooms should be used for the separation of first offenders and younger girls from those confirmed in crime. To make this possible adequate heating of both rooms will be needed.

c. The front room of the basement should be supplied with cots, bedding, and heating facilities for male prisoners, so that first offenders, youths under 18, persons not yet convicted (unless old offenders), and lodgers could be kept there. This will supply some though a very inadequate classification of prisoners, and relieve congestion.

d. An adequate supply of new bedding should be provided in both wards and provision should be made for keeping it clean. In this and in other work the labor of prisoners should be utilized.

e. Hot water should be provided in the women's ward; and if the prospect for the abandonment in the near future of the present city jail is not good, a shower bath should be installed in the men's ward.

f. Liquid soap and paper towels should be supplied in both wards. Each prisoner should also have a bath towel and be required to take a bath once a week.

Obviously while these changes may to some extent improve conditions, they cannot make them satisfactory. This cannot be too thoroughly emphasized. The main trouble is not with the jail management, but with the jails themselves, and no amount of renovating and remodeling can ever make them adequate as reformatory institutions.

PROBATION AND PAROLE FOR ADULTS.

No reformatory system can be complete without probation and parole work for adults. In fact if the purpose of correctional work is to build people up and help them to become law-abiding citizens nothing is more important. The fact that Topeka has no real work of this sort for adults is a pretty severe commentary upon her correctional system.

There exists here so-called probation work. The police court in the year ending October 31, 1913 suspended sentence on 101 persons found guilty of some offense and let them go in the hope that they would not return. They went, however, back to the same environment where they had got into trouble with no supervision or assistance. How much more effective the treatment would have been, if, instead of being allowed to go uncontrolled, they had been placed under the supervision of a probation officer to whom they were required to report once a week or oftener, and whose business it was to visit them in their homes, advise with them and help them get employment!

In non-support cases probation is particularly effective and often it is made a condition of probation that the head of a family pay his earnings weekly to the probation officer, who sees that they go to the support of wife and children. This means justifiable public economy as well as effective treatment. The appointment of a probation officer, moreover, resulting in the placing of a larger number of persons on probation, means that jail expenses are reduced and many who would otherwise be community burdens become producers. In Kansas City last year the wages of those on probation and parole amounted to \$280,499.00. The social and financial loss to Topeka and Shawnee County because of their failure to employ an efficient adult probation officer is difficult to estimate; but it is certain that one of the best opportunities for crime prevention open to the community has been neglected. There should be at least one probation officer for adults, working in connection with the city and county courts. A state law, perhaps along the line of the Illinois statute, should be secured, permitting the city and county courts to unite in appointing such an officer, the two governmental divisions dividing the expense. In the meantime

an informal agreement could probably be made, each employing the same officer and paying half the expense.

Much authority over many people is vested in this officer and obviously only those of the highest character are fitted for the work. We cannot afford to employ persons who themselves have not succeeded, to help those who have thus far made failures. The suggestion is made that the greatest care should be taken in the selection of this officer and the salary be fixed at not less than \$1200 a year.

Probation service among women is much needed and can best be performed by a woman. Many of the duties now performed by the policewomen are very nearly akin to probation work. We suggest that one of the policewomen, if this plan is adopted, be assigned to take charge, under the direction of the probation officer, of such work for women.

Parole work is hardly less important than probation. The most critical moment in a prisoner's progress toward complete self control is when he leaves jail and goes back to every day life. His old associates and environment were more than likely partly responsible for his getting into court. If he returns to those associations, with no other influences at work, the chances are favorable for a repetition of his offense. If he has lost his job and is without funds, as is often the case, repetition is even more likely. It is to tide over this critical period and to help the prisoner reestablish himself that a parole officer is employed.

No such work is being done in connection with either the city or county jail in Topeka. Weakened through comparative idleness and bad associates in jail, prisoners go back to the conditions where they got into trouble with no supervision whatever. It is hardly to be wondered that many return once, twice, and even five and six times during a single year—repetitions that alone should stir the community to action.

In discussing the management of the new farm institution, it was recommended that an unpaid parole board of three members be organized. Such a board should be appointed whether the farm institution is obtained immediately or not. It should, moreover, be supplied with a paid parole officer at a salary of not less than \$1200 a year. A state law

should be secured permitting the city and county to unite in the appointment of such a board and in dividing the expense. The establishment of probation and parole work for adults is extremely important, and should be undertaken before anything else recommended in this report is taken up.

JUVENILE DELINQUENCY.

A basic principle in correctional work is that delinquent children be dealt with entirely apart from adults. For the most part a recognition of that principle is evident in Topeka. In keeping with it is the establishment of a separate juvenile court and the employment of a juvenile probation officer. Also in keeping with it is the state law prohibiting the confinement of children in jails.

DETENTION HOME.

The only place where Topeka fails to recognize this principle is in neglecting to provide a juvenile detention home. As already noted, it is the policy of the authorities to send delinquent children home and to hold parents responsible for their appearance in court. But not infrequently such children have no home to which they may safely be sent, and in such cases they have been confined temporarily in one of the two jails.

The state law gives the county commissioners authority to provide a detention home for children. Save for expense, there can be no argument against its establishment. Lincoln, Nebraska, and many other cities of approximately Topeka's size, have believed the investment well worth while. The importance of establishing a detention home in Topeka needs no further discussion.

Following are suggestions which may prove helpful in the acquisition and management of such a home:

1. The home should be entirely apart from either jail, and as far as possible, give no appearance of being a place for forced detention.
2. Fire protection and sanitary provisions should be adequate and up-to-date.
3. The superintendent (a woman) should be selected for her ability to exert an intelligently wholesome influence over the children.

4. Boys and girls, and dependent and delinquent children should be kept apart, at least in their sleeping and play quarters.

5. Provision should be made for play grounds, and play equipment should be provided.

6. Arrangement should be made for securing good children's books from the public library, or, if this is not possible, for securing a good children's library.

7. There should be shower baths for bathing, and soap and individual or paper towels for washing.

8. Food should be prepared on the premises, and should be thoroughly wholesome.

9. Provision should be made for the physical and mental examination and treatment of every child. Duplication between these and examinations for the court of course would be eliminated.

10. Records should be kept of the ages, names, addresses, causes and dates of detention and disposition of all children.

THE JUVENILE COURT.

In juvenile court and juvenile probation work Topeka ranks among progressive cities. The results obtained in this field of work depend almost entirely on the interest and devotion of the persons who serve as juvenile judge and probation officer. It is a pleasure to record that the men who at present hold these positions seem to have caught the spirit of the newer correctional work, and are steadily improving the quality of their service.

The Kansas State law makes the probate judge also the judge of the juvenile court, so that the latter court, in keeping with present tendencies elsewhere, is organized on county lines and children outside the city enjoy its benefit. The court has jurisdiction in two classes of cases: first, those against children under 16 years of age; second, those against parents or guardians for neglect of children under that age. Recent tendencies have been in favor of extending the jurisdiction of the juvenile court to all persons under 18 years of age; and we recommend action for such a change in the state law of Kansas.

No regular court sessions are held, but the judge hears cases whenever occasion arises. Proceedings are properly very informal. The presence of lawyers is discouraged and it is the usual practice to hold hearings in a small room where a real heart-to-heart talk with those concerned is possible. Children are never put under oath and the general public is rightly excluded when cases of delinquent children are being heard.

In the past accounts of juvenile cases giving names and addresses have frequently appeared in the newspapers. Recently, however, the court has adopted a policy of giving out a monthly report of its work and keeping the names of children out of the papers. We believe the press will be willing to co-operate to the fullest extent in such a policy.

The probation officer always makes investigation of cases before they come up in court, and is usually present at hearings to assist the judge in arriving at wise decisions. If not present he always relates the facts he gathers beforehand orally to the judge. In courts where the volume of business is large it is desirable that probation officers submit written statements of their investigations in all cases, but in Topeka the present arrangement is satisfactory. Besides getting facts from the probation officer, the court, of course, hears the child and other witnesses before arriving at a decision.

Recently, Dr. Milton B. Miller, a public spirited physician of the city, volunteered his services for the physical examination of delinquent children. The work is still in an experimental stage in Topeka, but elsewhere its value has been repeatedly demonstrated. In many cases, for instance, a tendency to truancy has been shown to be due to defective eyesight or hearing, or to adenoids. When medical inspection in the schools becomes a fact it should be provided, in order that this work may be permanently established, that school doctors, besides examining school children, shall also examine delinquent children at the request of the juvenile court.

The Binet test for mental development has recently been proved serviceable in locating one of the important causes of crime. Delinquency, both in adults and children, is due frequently to mental deficiency. Persons with such defi-

ciencies clearly defined will always be a danger to society, both because of criminal tendencies, and because of the likelihood that they will bear defective offspring. For the protection of society they need early in life to be segregated in institutions and kept there. The Binet test is comparatively simple and, if provided for, would, with supplementary data gathered by the probation officer, assist the court in making wiser disposition of its cases.

The judge in Topeka has assumed the policy of keeping as many children as possible out of court, and frequently has placed them on probation without their being proved guilty of an offense. No permanent record of these children has been kept in the past, but the present probation officer has been perfecting a card catalogue system of all probationers, which will serve the purpose.

A study of the records, going back two years, indicates two tendencies on the part of the court; first, to dismiss very few cases entirely—but five in the two years; second, to make extensive use of probation. One hundred and eight delinquent children were placed on probation, while but 17 were sent to an institution, two of them after probation had been tried and failed. Both of these tendencies are commendable. Most children brought into juvenile court are in need of better supervision than they have received, and even though they have not been guilty of a specific offense, will more than likely be benefitted by the paternal interest of the court and probation officer. Informal probation, in such cases, can seldom be a mistake. Wide use of probation, when an efficient officer is employed, is highly advisable. It gives the children a chance, and saves needless expenditures for institutional support.

In the past, juvenile probation work in Topeka has not been thoroughly efficient. Cases have not been properly followed up, and no adequate records have been kept. The present officer has made many improvements, following cases up vigorously, and perfecting a record system. The county allowance of \$900 a year for the probation officer, however, is insufficient ordinarily to attract persons with the equipment and judgment the work demands. The guidance of thirty to fifty boys and girls who are falling into downward paths

is no unimportant matter. Their minds are plastic and unusually susceptible to good or bad influence. Nowhere is preventive work in criminology so certain to bring results. Even from a financial point of view, probation work which saves children from criminal careers is a good investment. If the work in Shawnee County is to continue to be effectively performed, a larger salary should be offered.

The policewomen are at present handling a considerable number of young girls in work very nearly akin to informal probation. It is essential to have all girls supervised by women. We believe, therefore, that better results would be accomplished if the policewomen and the juvenile probation officer would co-operate more fully, the former reporting and recording in the juvenile court records, all cases of girls under 16 years of age, the latter turning all girl probationers over to the policewomen for their supervision.

It would also be for the good of the work if the Foster Humane Society were brought into closer co-operation with the juvenile court and the policewomen. The welfare of the delinquent, neglected and mistreated children of the city is so important as to deserve the fullest co-operation of all agencies working for their welfare. Conferences between such agencies, to talk over misunderstandings, and to outline plans for co-operation, would, we believe, be productive of much good.

PREVENTIVE WORK.

Besides leading to a better understanding among social agencies of many kinds in the city and promoting more united action, such conferences as above suggested might very well lead to a program for the prevention of juvenile delinquency. Considerable is being done in Topeka to deal with persons who have broken the law, both children and adults; but little is done to change conditions which make for lawlessness.

Analysis of juvenile court cases in many cities shows that about three quarters of the children get into court through perversion of the play instinct. Halloween pranks and the like, for which many children are brought into court, are of this nature. So, too, boys often times steal property,

either through a desire for adventure, or to ~~buy or other-~~wise gain recreation through the use of stolen articles. Classifying the 43 children on probation in Topeka the early part of December according to the motives behind their specific acts of delinquency, we get the following results:

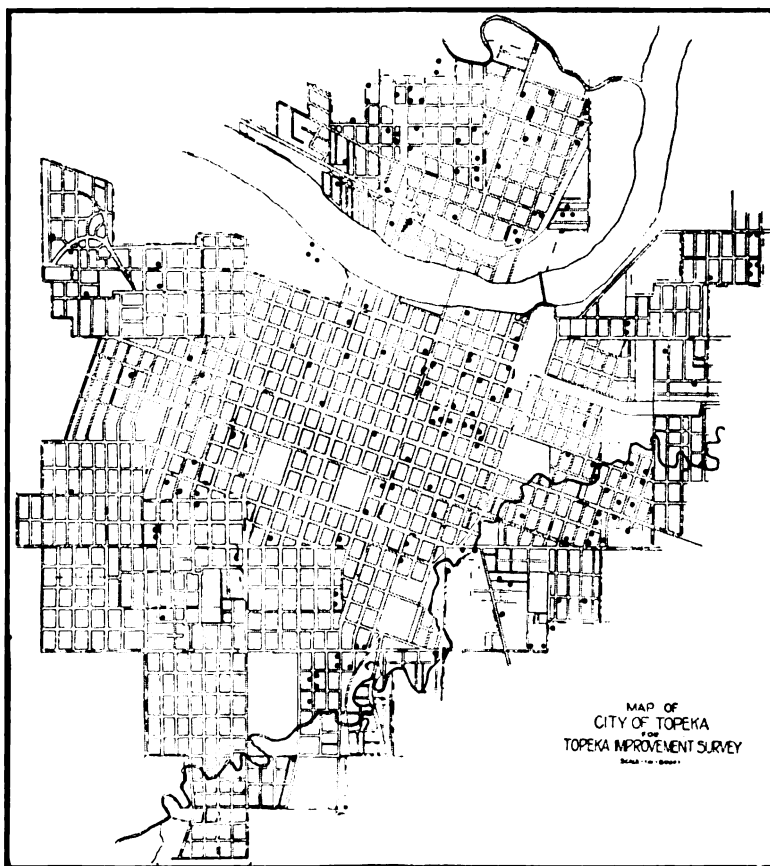
Desire to play.....	26
Desire for necessities arising from family poverty	4
Desire for revenge.....	4
Miscellaneous.	9

Of the nine miscellaneous cases four were clearly cases of children of abnormal mentality.

It will be seen that 26, or over 60 per cent of these children, got into court for some act arising out of a desire for recreation. For any body of persons wishing to institute work for the prevention of juvenile delinquency this fact holds vital significance. By seeking out the sections of the city where such delinquency is most prevalent, and providing for the intelligent direction of children's play through the establishment of playgrounds and school social centers, prevention of the development of criminal tendencies in many children is almost certain. The map of the city on the next page showing a black dot for each delinquent child brought into the juvenile court during the past three years, indicates the neighborhoods where playgrounds and social centers are most needed.

We join Dr. E. W. Burgess of the University of Kansas, who co-operated in the Topeka Improvement Survey by investigating the local problems of recreation, and who, in his report recommends provisions for play in the distinctive juvenile delinquency areas of the city. Further we commend for the favorable consideration of the people of the city the development of a general recreation program as a means of preventing both adult and juvenile delinquency.

In preventive work among adults the State law prohibiting the sale of liquor in Kansas should be noted. While few impartial and scientific studies have ever been made of the results of prohibition, there is general agreement that the use of intoxicating liquors is a contributory factor in a very large amount of criminality. This is to be expected for the universally recognized effect of drinking is that it befuddles the mind and weakens the powers of self-control.



JUVENILE DELINQUENCY IN TOPEKA.

Each dot indicates place of residence of one delinquent child; 1911, 1912, and 1913.

Prohibition has not entirely prohibited the use of liquor in Topeka, or even its excessive use. There were in the year ending October 31st, 1913, 676 arrests in which drunkenness was charged. These constituted 33 per cent of all arrests made. It is more than probable, were the facts known, that more than half of all arrests could be traced partially to the use of liquor—in spite of the prohibition law. Vigorous enforcement of this statute should be continued in the city's preventive program.

GENERAL CONCLUSIONS.

The recommendations growing out of this investigation are both immediate and far reaching; and have been set forth in detail at the ends of the main divisions of the report. It remains to sum up the general conclusions. They may be put as follows,—that the delinquency and correctional situation in Topeka calls for:

1. Plans for increasing the effectiveness of the police force.
2. Changes in court procedures and penalties.
3. Abandonment of the present jails for confinement of prisoners after conviction, and the development of a farm institution.
4. Establishment of probation and parole work for adults.
5. Provision of a juvenile detention home.
6. Increased emphasis upon the work of crime prevention.

The adoption of these suggestions will necessitate many readjustments, the most important of which—and here we end as we started—is a change in point of view toward the offender. Once the idea is established that the purpose of correctional work is not to punish law breakers, but to build them up into law abiding citizens, other changes will more easily follow. Aside from a failure to grasp this new point of view, two objections may be brought against the acceptance of the main recommendations of this report.

First, it may be protested that the proposed changes require a greater expenditure of money than the community can afford; and

Second, it may be said that things are getting along quite satisfactorily as they are.

As to the first contention, it is clear of course that all of the changes cannot come at once. Each needs to be planned carefully, and launched as soon as its success can be assured. But beyond that, the poor economy of a system which degrades instead of uplifting law breakers—particularly when the modern reformatory type of work can be made almost if not wholly self-supporting, as will be shown in a

moment—needs hardly to be argued. Every person who sinks into criminal ways, or having sunk, continues therein, is year after year a financial burden on the community, while every person saved from such a life, is a permanent community asset.

An example in point showing the folly of economy which saves money at the expense of efficient correctional work is given in a paper recently read before the state probate judges by Judge Hugh McFarland, of the Topeka Juvenile Court. Four years ago a boy 15 years of age came before the juvenile court and was placed on probation. At that time supervision of juvenile probationers was not efficient. A year later the boy assaulted a man with a deadly weapon and was committed to the reform school for violating his probation. On the way to the school he escaped from the probation officer. "It would probably have cost the county," says Judge McFarland, "\$50 to have recaptured this boy." Had he been caught he would have remained in the reform school until 21 years of age, or until placed on parole because of long continued good conduct. But it was not the policy of the County Commissioners to spend money recapturing escaped juveniles, and to-day, at 19 years of age, the boy is held on the charge of murder. One trial has resulted in a hung jury and he is to be tried again. "It is fair to estimate," says Judge McFarland, "that these two trials will cost the tax payers of Shawnee County \$1,000." If the boy should be convicted and given a life sentence, it will cost more than that, for he will be a financial burden to the State of Kansas for many years to come.

Still more direct evidence may be summoned. In Kansas City last year extensive use was made of probation and parole and efficient supervision was given all offenders who obtained their liberty under these conditions. Over \$9,651.00 was collected by the parole department from delinquent fathers, and paid to the support of wives and children. The community savings in a system which will support deserted families from the incomes of deserting husbands, instead of from charity, and which will turn prisoners into producers, instead of jailing them at the expense of the taxpayers, is certainly evident. Approximately \$280,000.00 was earned in

wages by those on parole, most of them, under Topeka's methods, would have been in jail, financial burdens on the community.

Again, in Kansas City last year, counting the value of the labor of prisoners put into improvements, the municipal farm paid a net profit to the city of \$2,630.36. Moreover, the superintendent estimates that, with a sufficient acreage of tillable land, the institution can be put permanently on a self-supporting basis. In Topeka, prisoners, except for a small amount of rock broken at the city jail, are in no way self-supporting. While it will take a considerable sum to establish a farm institution, even if prisoners' labor is utilized to the fullest extent, there can be little doubt that once established it could be operated at a much smaller expense than the present jails. With a sufficient acreage it might even achieve a self-supporting basis.

On the second point it may be said that as long as 2029 arrests are made in a single year—one to every 22 persons, or one to every five families—by no means can conditions be considered satisfactory. Thirty-three per cent were of persons arrested more than once during the year. One hundred fifty-five were arrested twice, 48 three times, 24 four times, 6 five times, 6 six times, 5 seven times, 1 nine times and 1 ten times. Allow for the fact that a fourth of all arrests are of non-residents, not likely to be arrested more than once, and it becomes evident that over 44 per cent—nearly one-half—of all arrests of Topeka residents are of repeaters. If one considers that these figures are for a single year, and that many follow the same course year after year, it is seen that in Topeka is a large group of persons who pass in and out of her jails with almost precise regularity.

Many of these are intemperate drinkers. The liquor habit has its grip upon them, and usually their environment has played toward their downfall. They are arrested and thrown into jail. No effort is made to free them from their habit, or to strengthen them physically. They are confined under conditions which tend to pull down instead of up. At the end of their terms they are turned out not better but, if anything, less able to meet the problems of life than when they went in. In this condition they are sent back to the

environment where they got into trouble, with no hand to help them. As may be expected they fall again and again, and repeat the old cycle of jail experience. The average citizen, and certainly those with convictions on public matters, will hardly view as satisfactory such a condition when other cities—nearby cities, have caught the spirit of the new penology and have abandoned the old methods as unsuited to modern needs and out of step with scientific advance.