

# THE JAIL AS A PERVERTER OF WOMANHOOD

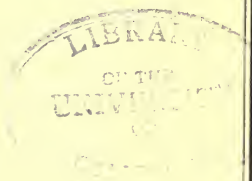
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# THE INDIVIDUAL METHOD OF DEALING WITH GIRLS AND WOMEN AWAITING COURT ACTION

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By MRS. MARTHA P. FALCONER

New York

The Juvenile Court sprang into being in response to the demand of a civic conscience against treating children as criminals. In theory it is a court of guardianship, where the paramount issue is the welfare of the child. Does this hold true in our treatment of adult offenders?

The physician searches for every detail that bears on the condition of the patient; he tries to ascertain facts, because he believes it is only good that can follow to his patient. Similar treatment is given (in a few cities) to certain classes of first offenders, through private agencies co-operating with the courts, where the person turned over to the care of a private agency by the court is placed in a "shelter" conducted by the agency—often partially supported by municipal funds. Because the juvenile court takes the child and studies it, it was found necessary to have a detention house where the child could be held pending the results of an investigation. A detention house that is doing good work has mental and physical clinics where the child is carefully studied and a thorough investigation made of his social history. The result of this is given to the judge at the time of the trial. With few exceptions there is no such intelligent and humane work being done for the woman offender. She is usually taken first to the police station, where she is housed with older offenders and kept in idleness until the time of her first hearing. She may then be sent to the jail if her case is held for further hearing.

Many of the jails are in unsanitary condition; often filthy and infested with vermin; frequently there is no matron. In a city workhouse that I visited a few months ago, where there were 28 young white girls and 21 colored, the keeper of the workhouse said to me, "Thank God we ain't got no matron here." In this workhouse, where men and women were sent from the city court, the

women's quarters were filthy—not fit for any one to live in. There were plenty of unused cells, but the women were placed two in a cell because they wished it. A man had charge of the women's department, looked after their wants, and had entire responsibility—no women were employed in this place. The women had a great deal of freedom in mingling with the men employed there as they went about their work in the kitchen and laundry.

In another city in the northwest there were 32 women who were kept in the "bullpen" of the jail, which had been turned into a dormitory. Two matrons were employed to look after these women in the daytime. They had no key to the outer door, the keys being kept by a male attendant on the floor below. When the matrons wished to go out they had to pound on the iron door until the man came up from downstairs to let them out. From 8 o'clock in the evening until 7 the next morning the women prisoners were entirely alone. It had been reported that the women were troublesome and noisy at night and caused considerable disturbance, so that it had been found necessary for the men to go up many times to try to quiet them. What can we expect of women who are held under these conditions? All of these prisoners were young women.

There is often a misunderstanding about the work of a police-woman and a police matron. Frequently it is said that a community has a policewoman when what is meant is a police matron. The work of the two should not be confused, and every place holding women awaiting trial should have enough police matrons so that a woman will always be on duty and it will never be possible for any of the prisoners who are detained to be under the care of a male attendant. The work of a policewoman should be outside the jail in the community, especially supervising dance halls and places of public recreation.

In one city where there are 15 policewomen employed there is a great deal of dissatisfaction and friction among them because of the lack of organization. All of the women receive the same pay and have the same "rank," yet they feel that a few, because of "pull," can do desk work and do not have to do the work of a police matron, while others must take their regular turns at day and night duty in the crowded jail, looking after the large numbers of difficult women, including drug addicts, awaiting trial, and also doing patrol work, in turns.

I have visited many jails where the women are allowed to mingle freely with one another, and there is much obscenity and vulgarity. We cannot expect any woman, especially a young first offender, to be sent to such a place even for a short time without becoming worse because of her experiences while there. Frequently a woman is held several months as a witness or pending action of the court. In one jail there were six young women, two of them with babies, and no matron in charge. Outside of the women's cells, in the open court, was a special bed where the sufferers from delirium tremens were confined—all this in view of the women prisoners with only an iron grating between. The keeper of the jail assured me that they never strapped a man to the bed without having an attendant sit beside him. In this same open court was the trap door and the other necessary machinery for hanging. The keeper of the jail was surprised that I had never witnessed a hanging, and more surprised to learn that I did not desire to see one. He assured me, however, that the women prisoners were removed from their place of observation before an execution took place.

All over this country the jails are a menace, because there is no adequate care or protection given to the woman offender. The number of women and girls arrested is comparatively small, and the per capita cost of maintaining them is therefore high when compared to that in institutions for men and boys. Prison reformers generally seem to have devoted all of their time to the improvement of convict prisons and the reformation of convicted criminals. This seems to me to be beginning absolutely at the wrong end. The time to reform a criminal is at the beginning of her career and not at the end. It is important that the necessity of caring for prisoners awaiting trial be emphasized in the highest possible degree. The treatment of men in jails and police stations is bad enough, but the treatment of women is generally worse. Even to this day it is a common thing for women prisoners to be under the exclusive charge of male officers. Even in jails where there are a number of women confined and where a jail matron is provided, it is often true that there are times when the male officers have access to the women's department in the absence of the matron.

The best instance of a detention house for the care of adults is the Municipal Detention House for Women, run by the Municipal



Court of Philadelphia. An unused public school in what was the segregated district has been turned into a woman's court. The detention rooms, some single and some dormitories, are on the top floor in charge of a matron. The kitchen and dining and recreation rooms are on the same floor. Here are received the runaway and incorrigible girls between the ages of sixteen and twenty-one, women arrested for street walking, and women taken in raids. It is possible here to make some classification of the girls and women who are awaiting investigation of their cases. The court room and offices for probation officers are in the same building, so that it is not necessary to parade an arrested girl through the streets or to have her go in a police wagon. What Philadelphia has done other cities could do for prisoners awaiting trial.

—The county jail presents a problem to practically every community. The consensus of opinion is that the jail as a place for detention of persons serving sentences has outlived its usefulness. Farm colonies under state control are recommended as the substitute for all convicted persons, and separate houses of detention for persons awaiting trial.

To take this matter up fully is not possible at this time, but the suggestion is made that special jail committees be appointed to visit each jail, house of detention, and police station in a community. The reports of these committees should be filed with the state authorities on prison investigation, and the accumulated knowledge used to arouse public interest in local conditions. The committees will have accurate information in regard to important phases of the problem, such as the number of prisoners in each jail or house of detention; the average length of sentences; the sanitary condition of the institution; whether the fee system is in operation; what work is provided for the prisoners. From this information a state committee could be in position to formulate plans for the proper care of persons convicted of misdemeanors and of those awaiting trial. Then will begin the struggle for legislation for the adoption of this program.

—There should be a system of industrial farms for women convicted for short terms similar to that which Lynchburg, Va., has for its men. The Lynchburg farm is a large tract of land where the men can have outdoor work. When I visited this institution two years ago no women prisoners had ever been sent there, though a ten-room house had been built for that purpose. It was

at that time occupied by the assistant superintendent and his family. The women were still kept in an old unsanitary jail in the town of Lynchburg, where they had no work and no outdoor life of any kind. While it is unwise to have men and women in the same institution, industrial farms for women could be arranged for a group of counties, if no one county had enough prisoners to justify the expense of such an institution. What is being done for convicted women in Clinton, N. J., at the State Reformatory for Women, and in Rockwell City, Iowa, at the State Reformatory for Women, can be done for women who are sent for short terms. First offenders should have probation, and that should be continued as long as there is hope of the woman responding to probation. The kind of work that is being done by private agencies under the name of protective work should be developed by city governments. Federal women prisoners are boarded in state institutions, so a system of industrial farms could be worked out in the states if the different counties were willing to co-operate.

There is much indifference on the part of the average public about the treatment given all prisoners and the conditions of our girls. We must try to educate public opinion to the need for better care and the protection of all arrested women.

# THE INDIVIDUAL METHOD OF DEALING WITH GIRLS AND WOMEN AWAITING COURT ACTION

By MISS MAUDE E. MINER

Secretary, New York Probation and Protective Association, New York City

## THE PRESENT METHOD

Come with me into a jail where girls and women are awaiting trial in one of many cities of our country. Standing behind black iron bars in a dark narrow cell without a window opening to the light of day, we see a girl sixteen years of age. The dim light shining across the corridor which separates the long row of cells from the outside wall of the prison reveals a pale face with sensitive lips and searching eyes. "Oh, what will my mother ever do when she learns that I am a criminal?" said the girl after confessing to me that she had taken two pairs of silk stockings from a counter in the store where she worked. "I was brought up to know better," she added, "and I have a good, good mother." Lying on the narrow bed in the same cell is an older woman with a hard face, dyed hair, painted cheeks, and blackened eyebrows. "I tell her she's a fool to take on like that," said the older woman. "If she'd been here ten times like me, she'd feel different. Of course she's only a kid. Still I never had to sit here so long before with no one getting me out on bond. I tell you, someone's got to suffer for it too, for keeping me sitting in jail."

In the same prison we may find twenty or more girls and women sixteen years of age and over, girls charged with incorrigibility or running away from home, with shoplifting or forgery or soliciting on the streets, women who are keepers of houses of prostitution or who have been associated with hold-up men, women addicted to drink or drugs who would sell their souls for a glass of whiskey or a "sniff of cocaine." We still find herded together in many jails young and old, first offenders and hardened women, diseased and clean, colored and white, convicted and unconvicted, and at times



girls not charged with any crime who are held as witnesses against men who have wronged them. There is little or no segregation, occupation or recreation, and nothing to lift the individual out of the sordid, wretched surroundings. [In some jails there is not even a woman matron on duty during the day or at night.] Is it any wonder that the time spent together in the same detention pen or cell, or around the bare wooden table where meals are served, is filled with tales of past lives, with exploits in stealing and prostitution, and with vile, wretched stories? Is it a wonder that there is resort to degenerate practices or immoral exhibitions? Is it a wonder that the atmosphere becomes so thoroughly poisoned that it vitiates the minds of young girls, some of whom are mere children, embitters respectable women, and causes offenders who are immigrants to distrust the democratic institutions of free America? 22

As we follow the procession of girls and women through jails and courts and back again into jails and prisons, we marvel at the stupidity of society which is responsible for this *mass treatment* of human beings. Each individual has had a different background and environment, each has a different personality, each presents a different problem, and yet all are dealt with in the same way. To be sure some have friends who furnish professional bondsmen to bail them out or "shyster" lawyers to plead their cause before the court, and a few are more successful in getting officers to modify evidence or complainants to withdraw charges against them. Yet the mill grinds in the usual way for most offenders, with little consideration as to how they are being embittered or harmed by their prison experience or what can be done to help them or prevent them from further violating the law.

And the responsibility for this irrational treatment of girls and women awaiting trial rests upon you and me. If we care enough and work hard enough and proclaim the truth loudly enough, eventually this condition will be changed.

### STUDY OF THE INDIVIDUAL

What is a better way? It is an *individual method* of dealing with girls and women—understanding each person as an individual and seeking to discover the best means of helping her in the future.

This is the method which for many years the New York Probation and Protective Association has been using at Waverley House as a means of aiding girls sent by police, courts, or district



attorney for observation and study. The *taking of the girl's statement* comes first. A sympathetic woman listens to the story of the girl as she explains how she has come into her present difficulty, why she has run away from her home, or how she has been tempted to steal from her employer or to take the first downward step. The girl tells simply who she is and where her parents or relatives live, and often begs that the truth shall not be told to them. In the course of this interview much is learned about the girl's family history, her personal and alien history, and the causes that lie back of her anti-social behavior or delinquency.

Next comes the complete *physical examination*, with inspection of heart, lungs, nose, throat, eyes, ears, etc., and tests to show the presence or absence of venereal disease. This physical examination is always voluntary and seldom does a girl refuse to have it when its purpose is explained. If the girl is under eighteen years of age, the written consent of her parents is secured for this examination.

The *mental examination* of each girl is made by a skilled psychiatrist and a psychologist. The psychologist tests the girl by the Terman revision of the Binet-Simon scale and grades her according to her mental age. The psychiatrist determines whether or not there is mental disease or defect, epilepsy or psychopathic tendencies, and discovers the outstanding personality traits. In planning for the future of the girl it is most important to know about her traits of character, such as instability, stubbornness, suggestibility, impulsiveness, and so forth; and also whether the individual is sufficiently defective to make commitment to an institution for the feeble-minded necessary. 'Observation by workers in Waverley House as to the girl's *adaptation to the environment* there, her habits of industry, power of application, willingness and co-operation, etc., aids in arriving at the best recommendations to make for her future.

The complete *investigation* which reaches back into the girl's home, the furnished room, the school, one or more places of employment, institutions where she has lived as a child or to which she has been committed previously by a court, and which verifies her age by a birth certificate or her marriage from the public records, helps us to know whether or not the girl is telling the truth and also brings us in touch with those most interested in helping her in the future.

Having the girl's statement, the report of her physical and mental examination, the result of the complete investigation, and the report of her power of adaptation from workers who have supervised her while in Waverley House, we are in position to arrive at a recommendation for her. We understand the girl sufficiently well as an individual to judge something about her chances of getting on in society under supervision, or whether she needs to be committed to a correctional or custodial institution.

### A MUNICIPAL HOUSE OF DETENTION

The application of this individual method of work to girls arrested for various offenses requires a municipal House of Detention for Women, with provision for adequate segregation of different classes of offenders and with provision for scientific examination and observation of the individual. For such a place of detention we have been working a long time in New York City and confidently expect that it will soon be a reality.

I will describe the general plan of a building which seems to be most feasible for a city like New York, sketches of which have been drawn. The combined House of Detention and Women's Court includes on one floor a court room which is small so as to admit only those directly concerned with the immediate trial, a large waiting room for relatives and friends of prisoners and others having business in the court, and necessary offices for judges, clerks, probation officers, and fingerprint expert. On another floor are receiving rooms and offices of the superintendent, assistant superintendent, psychiatrist, psychologist, and physician. Above these floors are the divisions for the care of girls and women: first, two reception divisions where each girl brought by the police is placed at once in a separate room; next, two separate floors each with two divisions for colored women and white women who are awaiting trial or remanded for sentence; a division for drug addicts and women charged with intoxication, a separate division for material witnesses, and a hospital division for those in need of medical care while awaiting trial or sentence. A single room with an outside window sufficiently high to prevent communication with the street is provided for every woman; a combined recreation and dining room serves each division of fifteen women. The food is prepared in a central kitchen and conveyed by a dumb-waiter to each floor. The dishes are kept on each

floor and washed by the women in the division. A matron is assigned to each division and responsible for her group of ten or fifteen girls. A fumigating plant makes it possible for clothing and blankets to be cleansed. Provision is made for the different divisions to use the roof for exercise at different times of the day.

Of greater importance than a fine building with perfect equipment is a staff of splendid women in charge of the work. The ultimate success of houses of detention, where effort is made to understand individuals as a basis for helping them in the future, will depend upon the fitness of the women entrusted with this important work. Greater efforts should be made to train women and to draw them to this particular field, to secure more adequate salaries for them, and to make their conditions for work more possible through freedom from political interference.

✓ { The condition in many jails is deplorable, with influences present there which demoralize our girls and women. By a more rational method of treatment much can be done to obtain adequate help for individuals, to save them from wretched lives in the future, or to secure permanent care for them. Application of this individual method requires a place where the work may be done, women competent to do the work, and a public so alive to the needs of these girls and the importance of dealing wisely with them that officials will provide the necessary funds and secure competent workers. Is it not our responsibility to grapple with this difficult problem and to help create the kind of public opinion which demands greater justice for our girls and women?

