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PENOLOGY AN EDUCATIONAL PROBLEM

BY

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Penology an Educational Problem[1]

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FOR nearly forty years I have been a member of the American Prison Congress and a student of penology. For fifteen years I was an inspector of prisons, and for more than twenty years since that time I have given special study to the treatment of the delinquent child, the juvenile court, the probation system, and institutions for delinquent children. In this address I shall offer some suggestions with reference to the educational phases of penology. In so doing I am not embarrassed, as these superintendents and wardens would be, by experience or responsibility, but can speak with the assurance of the outside observer, who is always able to tell the other fellow how the job should be done.

A great deal of what I know about this subject has been learned from personal contact with wardens and superintendents like Z. R. Brockway, J. W. McClaughry, Albert Garvin, Henry Wolfer, F. L. Christian, Thomas M. Osborne, Calvin Derrick, Mrs. Jessie Hodder, and Mrs. Martha P. Falconer, and with such prison chaplains as Albert G. Byers of Ohio, George Hickox of Michigan, and Rev. William J. Batt of Massachusetts. I have learned also from personal association with such students of penology as Ex-President Rutherford B. Hayes, Ex-Governor George Hoadley, Frederick Howard Wines, Charles R. Henderson, General Roeliff Brinkerhoff, Amos W. Butler, Burdette G. Lewis, and George W. Kirchwey; and from the study of their writings and the reports of commissions, surveys, and the heads of institutions.

In preparation for this address I visited during the past year more than 80 prisons and reformatories and corresponded with about 70 wardens and superintendents in order to get the benefit of their first-hand experience and their close-up view.

[1] President's Address at the Fifty-Second Annual Congress of the American Prison Association, Detroit, Michigan, October 12, 1922.

Penology is a problem of government, a problem of criminology, of psychology and psychiatry, of administration, of discipline; it is also a housing problem. But first and foremost and all the way through it is a problem of education. This is true because administration, psychology, discipline, medicine, and housing all depend for their successful solution on the education of the prisoner, on the one hand, and of prison officers, administrative boards, legislators and governors, and the public, on the other.

The idea that it is the duty of society to educate the prisoner is not a new one. It has prevailed from the beginning of the modern prison system a hundred years ago. It is implied in such words as "penitentiary," "reformatory," "house of correction," "discipline," "probation," "parole," and "vocational training," all of which signify that the prisoner is to be taught and trained in a new mode of life in preparation for his return to the community.

EDUCATION THE CHIEF PURPOSE OF IMPRISONMENT

The education of the prisoner is or should be the chief purpose of imprisonment. It is now generally agreed that the object of imprisonment is not vindictive punishment but the protection of society.[1] Society is protected in a measure by the confinement of the prisoner; but, except in the case of life prisoners, that confinement is a matter of not more than three or four years on the average; then he goes back into the community. If society is to be protected after his release, it must be by such a course of training during his commitment as will make him a good citizen or, at least, will tend to deter him from unsocial acts.

Education by Force and Fear. In the early days, and for many years thereafter, and in some prisons even at this date, the only education was by force, fear, repression, shame, and torture. When a new prisoner was received, it was the duty of the receiving officer to "put the fear of God in his heart"—to terrorize him to such a degree that he would not dare to violate the regulations.

The effort was to repress the normal instincts of manhood. The rule of silence was imposed and communication with his fellows was made a misdemeanor. He must not lift his eyes in

[1] See the Declaration of Principles adopted at the first Congress of the American Prison Association in 1870, reaffirmed after half a century in the Congress held at New York in 1919. Proceedings Annual Congress American Prison Association, p. 588. Indianapolis, 1919.

the presence of visitors, and he must observe abject humility in the presence of an officer. Some prison officers took pains to remind the prisoner frequently of his ignominy and to humiliate him as much as possible. He wore striped clothing; half of his head was shaven; if he had been a man of standing in the community, he was furtively pointed out to visitors. I saw in a prison in Pennsylvania, five or six years ago, a prison chapel which had been decorated by the zealous chaplain with such choice Scripture quotations as, "The way of the transgressor is hard"; "Fools make a mock at sin"; "Be sure your sin will find you out."

Cruel punishments prevailed. Flogging was used, not only for gross but for petty offenses; and even to this day in some prisons men are flogged for failure to perform appointed tasks. Torture was inflicted by allowing cold water to fall upon the prisoner's head drop by drop, and by such punishments as "the slide," which was used at Sing Sing thirty-five years ago. This device was tested by Warden Albert Garvin upon himself, and he described it as an exquisite pain, like pins and needles being run throughout the body.

Less than ten years ago, in the Virginia Penitentiary, a punishment called by the prisoners "the cross" was enforced. The prisoner lay upon a mattress, his outstretched hands were handcuffed to two rings in the floor and his feet to two others. The prison surgeon testified that, while men had complained to him, he did not know the effect of the punishment. From testimony it appeared that a phlegmatic man who could relax did not suffer acutely, but that a nervous man was cruelly tortured.

The reports of two legislative investigations have been published in Texas during the last four years which show that prisoners were not only flogged contrary to law, but that men were hung up by the wrists in chain handcuffs, which not only caused great suffering but sometimes resulted in permanent injury. In sworn testimony it was declared that mounted guards occasionally rasped the backs of prisoners with their spurs.

The use of dark, unventilated dungeons, with restricted diet and water supply, as described by Thomas M. Osborne in his book, Within Prison Walls, has been abandoned for the most part but still exists in some prisons. Vexatious and irritating rules existed. In one prison I saw a list of 40 rules, violation of any one of which would contribute to extend the time of the prisoner's

confinement. He was kept in a constant state of anxiety lest he should inadvertently fail to button his coat, get out of line or fail to show his hand at the cell door. Often young and inexperienced prisoners would incur disfavor by carelessness, while old and hardened repeaters would go scot free because they knew the ropes.

A demoralizing feature of prison discipline in earlier days was the employment of "trusties" whose trustworthiness consisted chiefly in their willingness to inform upon their fellow-prisoners, whereby they earned special privileges and enjoyed an improved diet. The teaching was that the trustworthy man was the one who was willing to betray his fellows, but right-minded officers join with prisoners in despising the informer and find legitimate ways to obtain intelligence without using him.

A by-product of the old method of training prisoners by force and fear was the breeding of hatred and animosity in the hearts of many men who considered themselves unjustly treated and resolved to pay their score to society at the first opportunity.

Mutual Education. Prisoners educated one another, teaching their fellows how to deceive the officers and to break regulations. They learned to converse without detection under the very eye of the guard; devised telegraph systems; found channels of secret communication with outside friends, who smuggled in contraband articles, such as drugs, intoxicants, tools, and weapons; initiated one another into the arts of crime and planned criminal excursions after their discharge.

Secret communication was a recreation. During the days when prisoners were still kept in solitary cells in the Eastern Penitentiary of Pennsylvania, the chaplain told me that inmates had reported outside news to him before he had a chance to read it in the morning papers. In one prison it was stated that a man and woman, kept in separate parts of the institution, carried on a courtship and were married upon their discharge. The warden of the Newcastle County Workhouse in Delaware recently opened a prison post-office for exchange of letters between the men and women because he could not prevent such correspondence.

The School of Letters. Even under the old prison system some attempt was made to teach illiterate prisoners at least to read and write. I remember Chaplain A. G. Byers (father of Joseph P. Byers) giving an account of how he taught an Irish

prisoner the alphabet. Pointing to the book he said, "That is A." "An' *is that A?*" asked the prisoner, as if he had met a long-lost friend. But with that start the chaplain won the man and made him a good and worthy citizen.

Every prisoner has at least two hours of leisure out of twenty-four. Why should not those two hours be used for his improvement and upbuilding in manhood? The prisoner who has some education needs to improve those two hours quite as much as the illiterate, and usually more so because his mind is more active.

When Z. R. Brockway became superintendent of the Detroit House of Correction, after thirteen years' experience in other institutions, he soon developed a new type of prison schools. In his autobiography he says: "Out of an average prison population of 385 for the year 1871, the average attendance in the evening school was 291, or more than 75 per cent of all the prisoners."[1] He employed trained teachers from the Detroit schools. In 1870 he initiated a course of 30 lectures on such topics as: The Nobility of Work, The Restraints of Law are Good, Self-Conquest, Courage, Flowers, An Evening with Charles Dickens, and so forth. A course of 20 lectures on psychological subjects was very popular.

The Detroit House of Correction still maintains the best schools that I have seen in a convict prison. I visited them recently. At the present time 10 public school teachers are employed five nights a week to teach English, American history, government, arithmetic, singing, and so forth. Without suitable school rooms, these teachers are doing highly efficient work and the prisoners are intensely interested.

Industrial Training. Mr. Brockway did not confine his educational work to the school of letters. He organized industries on the "state account" plan, borrowing money for that purpose on his own credit. In the shops the prisoners did the kind of work done in outside factories. The state account system, under which the city of Detroit furnished the capital and carried on the business of manufacturing and selling, has been successfully conducted in the Detroit House of Correction. From that day to this furniture made by the men has been sold successfully on the open market without serious interference by the labor interests. In the new House of Correction, now under construction, very

[1] Fifty Years of Prison Service, p. 101. Charities Publication Committee, New York, 1912.

large shops have been planned, arranged for manufacturing on modern principles, with modern machinery, where prisoners will learn to work exactly as they will be required to in outside employment.

The problem of industrial training is not an easy one, but it is being worked out in the Minnesota State Prison, the Indiana State Prison, the Michigan State Prison, the Detroit House of Correction, and the Massachusetts state reformatories, under obstacles, it is true, but with encouraging success.

It is extremely difficult to combine profitable production with practical instruction in the industrial arts. Many experienced prison men hold that the idea of profitable production should be abandoned in the interests of industrial training. This proposition need only be formulated to show its absurdity. In the outside world it is expected that a working man, even a common laborer, will earn a decent living for himself, his wife, and two or three children; this notwithstanding loss of time through shutdowns, strikes, sickness, or even an occasional spree. The prisoner loses no time because of strikes or holiday dissipations. He is under constant medical oversight. He is usually sufficiently fed; he pays no rent. Is it not absurd to say that an able-bodied man under such conditions cannot earn the cost of his own maintenance up to the amount of a dollar or a dollar and a quarter per day? In order to do this it is necessary that prisons be equipped with modern machinery and that the prisoners work under like conditions with outside labor; that a wage system be established, and that prisoners be studied as to their natural fitness for different employments and be systematically trained by competent foremen and instructors.

What prisoners can accomplish under such conditions was demonstrated in Alabama during the World War when 155 prisoners in the state cotton mill at Speigner in one year earned for the state $1,450 per prisoner, net. This was accomplished with a comparatively low grade of prisoners and under unfavorable living conditions.[1] It was made possible partly by the high prices that goods brought during the war, and partly by the double incentive of an appeal to the patriotism of the prisoners and the allowance of a small cash wage.

Spiritual Education. Instruction in the school of letters and

[1] Quadrennial Report of the Board of Inspectors of Convicts for the State of Alabama for 1918.

vocational training are not the whole of education. The prisoner must be educated on the spiritual side. In the beginning of Mr. Brockway's work, emphasis was laid upon preaching and Sunday school instruction, but gradually it became apparent that the greatest spiritual force for the redemption of prisoners was found in personal contact with upright, fair-minded, red-blooded men. Prison authorities have been slow to recognize this fact, but it is fundamental.

In earlier days it was considered an impropriety to provide recreation for prisoners beyond special exercises on Christmas and the Fourth of July, with a concert, play or some other entertainment two or three times a year and, in some prisons, permission to use the yard on holidays. Even such limited privileges as these were often criticized by people who regarded them as coddling criminals.

In recent years we have come to recognize that recreation is an essential element in normal human life and a vital factor in all true education. Brockway and his successors, J. S. Scott and F. L. Christian, made the gymnasium and setting-up exercises a part of the regular curriculum, and the athletic field and the baseball ground came to be recognized as educational forces. It is there that the boy or the young man learns team work, fair play, respect for the decision of the umpire—to be a generous winner and a good loser. Such lessons are an essential part of manly character. These same sports and other outdoor exercises are found educative for women prisoners as well as for men. They promote physical and spiritual health.

There has been criticism because moving pictures are now shown every night at Sing Sing Prison. They are given not because the warden regards them as the most desirable way a prisoner can spend his evening, but because the ancient cells at Sing Sing, three and a half feet wide, eight feet long and eight feet high, some of them only ten feet above tidewater, breed rheumatism and tuberculosis, create a deadly depression, destroy men's health, shorten their lives, and drive them to insanity.

EDUCATION OF PRISON OFFICERS

If we are to educate prisoners on the lines that we have indicated—in letters, in industry, in religion, in morals, in recreation —then every officer in the prison must become a teacher: not only must the warden, the deputy warden, the chaplain, the

physician, and the psychiatrist become instructors, but the storekeeper, the steward, the foremen, and all the prison guards as well. They therefore should receive special training. These are the men who come into daily personal contact with the prisoners, and who exert a permanent influence upon their characters. Many prisoners have never come into close relationship with an upright, straightforward, honorable man. If the guard is just, conscientious, kindly and sympathetic, his influence for good is incalculable; but if he is untruthful, tricky, cruel, unclean in his language and behavior, his influence is just as strong the other way. It is the character of the officer that determines his influence, and never doubt but that the prisoners know what kind of men their officers are.

I met recently, in the Massachusetts State Reformatory, a foreman in the cabinet-making shop, a man with a marked foreign accent. A few minutes' conversation made it apparent that he was deeply interested in the men in his charge. He was working with all his might to awaken in their minds pride and enthusiasm for a first-class job: making a desk, a table, or a bookcase in just as thorough and workmanlike style as could be done by any free man. The upbuilding influence of such an officer is immeasurable.

In order to exercise such an influence, a man must be not only right-minded but intelligent. He must understand and be in sympathy with the reformatory purpose of his superiors. He must be able to read the mind of the prisoner, to know how he thinks, how he feels, and what motives will appeal to him. He must have such patience and self-control as not to be unduly biased or prejudiced by the mistakes or even the faults of the prisoners.

The superior officers of a prison can acquire a great deal of knowledge by reading, study, visiting other prisons, and coming into contact with intelligent and progressive leaders; but the ordinary foreman or guard is on the job every day; he spends his working time in association with prisoners whose society is neither uplifting nor inspiring. Much of his energy is consumed in watching lest they fall into mischief. He needs to get out of himself and to understand the real significance and usefulness of his job.

Jail Officers Need Training. Sheriffs, deputy sheriffs, superintendents of police, and jailers need training in penology. The

sheriff is made responsible for the administration of the county jail, which should be the most reformatory of all prisons because it deals with offenders at the beginning of their criminal career. But the sheriff is engrossed largely in the civil duties of his office, and the handling of prisoners is delegated for the most part to jailers and deputy sheriffs. These subordinates are almost invariably political appointees. Most of them are men of little education, chosen without reference to their qualification for the place, and with almost no instruction as to their duties beyond the injunction to keep the prisoners safe and the place clean and free from vermin. This latter duty is too often neglected.

A good many sheriffs would be glad to improve conditions, but they do not know how to go about it. Here and there a man like John L. Whitman of Chicago, Frank Tracy of Montpelier, Vermont, or Cash Whipple of Rock County, Wisconsin, gets a vision of what jail administration should be and the public is astonished at the results accomplished. Sheriffs' associations are organized in many of the states, but I never heard of one which made any earnest effort to establish standards of jail management. Anyone who will take the trouble to read the reports of jail inspection in Maine, New York, Indiana, or Illinois will discover at once the manifest defects of jail administration and the great lack of any recognized standards.

Many jailers are humane and kindly in their disposition, but they do not know how to exercise that trait so as to redeem the prisoner. Not only that, but a great many do not know how to administer their office in order to protect themselves from violence; and hundreds of jailers, because of neglect of the most ordinary precautions, or because they have never been properly instructed in dealing with desperate prisoners, have been killed or injured by prisoners trying to escape.

Training Schools for Prison Officials. If the subordinate officers of the prison are to become teachers, they should have training for the work. The public schools and the private schools have long abandoned the untrained teacher and are demanding more and better training all the time. We have schools for clergymen, for doctors, lawyers, salesmen, veterinary surgeons, nurses, and policemen, but no schools for the responsible and difficult work of those who deal with people in our prisons, who are unsocial, vicious, hostile, neuropathic, or feeble-minded.

To get information on the points discussed in this paper, I sent

a questionnaire to about 175 wardens and superintendents of prisons and adult reformatories, to which 66 replies were received. Among other questions I asked: "Do you know of any systematic training for prison officers?" The only systematic work I discovered was that being carried on by Superintendent F. L. Christian at the Elmira (New York) Reformatory for the officials in that institution. One warden had heard that such training was given in California, and another of a prison officers' school in Japan. Aside from Dr. Christian's, the most hopeful work appears to be that of the Association of Prison Officers in Massachusetts, of which the president is a guard in the State Reformatory at Concord Junction. In the winter of 1921–22, the Association conducted in Boston a course of "Lectures on Penology and Kindred Subjects" by leading penologists, prison wardens, judges, and social workers, which was attended by the officers of the leading prisons in the state. The Association is printing these lectures in the form of a textbook and is planning a systematic course of study for the coming winter. The New York School of Social Work has organized a department of penology and criminology under the leadership of George W. Kirchwey, formerly Dean of Columbia Law School, and ex-warden of Sing Sing Prison. This department is now offering to prison officers work of great value, and it should attract ambitious young men who desire to make a profession of prison work. It is to be hoped that it will provide extension courses for officers in convict prisons and reformatories and will also organize a correspondence course for sheriffs and jailers, who are even more in need of training.

An interesting demonstration is being made in Detroit as to the possibility of special training. In that city there has been established a school for the employes of the psychopathic clinic. The staff consists of one psychologist, one director, two investigators, and two special psychiatric nurses. Systematic courses for the training of these people were worked out last year. Each employe is required to take a course which calls for about two hours' work per day. The work has become so interesting that a course was established at the Michigan State University for students who are preparing for work in psychiatric clinics. A correspondence class is being carried on in Detroit as part of the extension work of the University. Dr. H. S. King, Superintendent of the Juvenile Detention Home, is conducting a class for

the training of the employes in the Detention Home. I understand that all employes except the cook and janitor are required to take this course of instruction, which covers physical training, the personal handling of children, and so forth.

A second inquiry in my questionnaire was: "Do you believe that it is practicable to establish training schools for prison and reformatory officers?" Replies to this question were received from 61 officers as follows: "yes," 36; "doubtful," 11; "no," 14. It appears, therefore, that 60 per cent of those replying believe in the practicability of such schools and only 17 per cent regard them as positively impracticable. Further on, I shall offer concrete suggestions for the organization of such schools.

All Prison Officers Need Training. In addition to prison wardens and superintendents, the superior prison officers who need education in penology are: the deputy warden and his assistant, the chaplain, the physician, and the psychiatrist.

The Deputy Warden. The deputy warden or assistant superintendent takes charge of the institution when the warden is absent. But his chief duty is that of a disciplinary officer: to maintain the prison morale. He directs the work of the guards, investigates charges of misconduct among the prisoners, and assigns the penalties therefor. Deputies usually come up from the ranks. Many of them, although of high character and fine spirit, are of limited education. While some of the best wardens have served their apprenticeship as deputies and assistants, out of 52 wardens and superintendents who gave information on this point in answer to my questionnaire, only eight had previously served as deputies or assistants.

The deputy warden must be a man of good judgment and unflinching courage, because he usually has to meet the emergencies which arise when a prisoner rebels or when an insurrection is attempted. He must have the wisdom and tact to check such difficulties at their inception, to quell them promptly with the least possible exercise of force.

In many prisons the deputy warden holds a daily "court" to adjudicate complaints made by the guards against prisoners. It is a very delicate and responsible matter to decide whether a prisoner is intentionally vicious, or whether he has offended through misunderstanding of the rules or sudden provocation. When an officer reports a prisoner the presumption is in favor of the officer, but sometimes a petty officer is prejudiced against a

prisoner or has a grudge because of some personal disagreement. In such cases the deputy warden must have the discernment to discover the rights of the case and not to allow the prisoner to suffer unjustly.

The deputy warden usually gets his promotion from the rank of prison guard on merit; but a way should be found to secure men of more education and training for the position in order that it may be a preparation for the office of warden. Knowledge of prisoners and the problems of their behavior gained as a deputy warden is a great asset to a warden.

The Chaplain. Next to the warden, no prison office is more important than that of the chaplain. If prisoners are to be reformed and made over into decent citizens, they must not only have discipline, schooling, and vocational training, but, as already indicated, must be made over spiritually. The power of religion is a vital force in the remaking of character, and its value is almost universally recognized by experienced prison wardens. But there is danger of placing too much reliance upon formal preaching and religious instruction and too little upon the personal life and example of a man who loves God and looks upon a prisoner as a fellow-man.

The task of the chaplain is one of great difficulty because the prisoner is under constant temptation to profess good purposes and religious convictions, hoping for some temporal advantage, especially that it may help him to gain his liberty. There came to a certain meeting of the American Prison Congress a young chaplain (a Ph.D.) who distributed with pride what he called "Pastoral Letter No. 1." It began as follows:

"To the Inmates of the Penitentiary:

"Your chaplain has frequently been requested to issue a character certificate for parole and pardon. . . . This can be gained only by a standard system of merit. . . . Therefore the chaplain hopes to inaugurate the following carefully drawn plan of certification, the value of which an inmate shall determine for himself by his respect for and diligent application to the enumerated points for parole and pardon."

Then followed a score sheet, containing the following points: "Physical exercise, 10 per cent"; "mental atmosphere, 15 per cent"; "moral attitude, 20 per cent"; "religious experience, 25 per cent"; "conformity to discipline, 20 per cent"; "psycho-

logical analysis, 10 per cent"; "total merits possible, 100"; "merits required for certification, 80."

"Religious experience" was defined as follows: "Sincere confession of religious convictions, faithful attendance upon and respectful attention to religious services will count 25 per cent." That schedule was bound to produce a religious revival, since no prisoner could obtain a certificate with less than 80 points out of 100, and religion counted 25 per cent! Unfortunately, the worthy chaplain was dismissed after a few months so that the results of this interesting experiment have never been demonstrated.

There have been many prison chaplains who have accomplished wonders in redeeming the character of the men. Such a chaplain was Albert G. Byers of the Ohio Penitentiary. He was a brilliant and entertaining speaker. I remember hearing him preach a wonderful sermon on "Paul, the Prisoner," in which he interpreted the experiences of Paul in the vernacular of the prison to the amusement and profit of his prison congregation. And once when Dr. Byers was at Washington, an ex-convict who had become a prosperous business man, with home and family, came from New York to thank him, saying, "I owe it all to you." Later he insisted on entertaining Dr. and Mrs. Byers for several days in a fine suite of rooms at the Murray Hill Hotel in New York. As they were leaving, the head clerk said: "Dr. Byers, we were instructed to treat you like a prince. We have done our best and we hope that you are satisfied."

Chaplain George H. Hickox, of the Michigan State Prison, was another great chaplain. Thirty years ago he was practising many of the things which we now call modern prison reform. Among other things, he organized two literary societies. I attended a meeting where 200 prisoners, packed tightly in a small but well ventilated room, were holding an animated discussion on the question: "Which has the greater influence, example or precept?" A Negro prisoner discomfited his white opponent and won the debate: "De man wat says example has mo' influence dan precep' don' no wat he's talkin' 'bout," he declared. "Wy, Misto Pres'dent, how was it 'fo' de wah? De Norf dey set de Souf de example ob not havin' any slaves. Wat good did dey do? *Bimeby Ab'ham Lincum he gib de precep'!*"

Hundreds of prisoners were reclaimed and started in a new life under the administration of Chaplain Hickox.

Warden General W. F. Feagin of Alabama, recently substituted an active, wide-awake clergyman for the elderly chaplain who used to preach monthly sermons in the different prison camps. The new man holds the title of "Welfare Worker." During the week he drives in his Ford from camp to camp, mixing with the prisoners personally and infusing into them his manly and unselfish spirit. He preaches on Sundays, but his chief work is the week-day ministrations.

Medical Officers. The prison physician and the prison psychiatrist lack training less than any other prison officer. In their outside practice they are brought into contact with human life in its abnormal aspects. The physician knows the vices and weaknesses of men, and a patient confides in his doctor as he does not in his minister or his wife. The right-minded prison physician has a powerfully regenerating influence. We have learned this fact in the state of New York, where at the present time the superintendents of the State Reformatory at Elmira, the Women's Prison at Auburn, and the Woman's Reformatory at Bedford are all physicians.

Fortunately the technical schools for physicians and psychiatrists give a training which sufficiently meets the need of these officers.

The Prison Warden. The man who must give character and purpose to the whole institution is the prison warden. He should be a man of education and training; and he above all others needs education in penology; needs, in fact, all the education that he can get. If he is a college graduate so much the better, but whatever his previous education may have been, it is absolutely necessary that he shall have been trained in the school of experience. No inexperienced man, however well educated, can qualify as a first-class warden. To be that he should have at least two years of actual experience in prison work.

There is no public officer who works under greater disadvantages than he. He is handicapped by imperfect legislation, antiquated buildings, an impossible labor system, and worn-out machinery; and above all by the fact that from time immemorial his office has been part of the spoils of party politics, so that in many states his subordinates are not selected on merit, but are imposed upon him by partisan leaders in furtherance of political schemes. It is necessary also that he shall study other prisons than his own and come in contact with competent progressive

wardens in order to profit by their successes and failures. He needs to be familiar with the literature of penology, criminology, and psychology in order to deal wisely with the difficult and intractable human material under his charge.

The warden carries a very heavy responsibility. He holds powers practically as great as the captain of a ship at sea. He must be prepared to act promptly and decisively in emergencies. He should be able to suppress a riot by the power of his personality, but he may even have to order men shot down in their tracks.

He must be a competent administrator, capable of selecting and directing a large staff and administering a complicated industrial plant and extensive farming operations. At the same time he should be a competent prison governor and understand the workings of the prisoner's mind. He should be qualified to devise and execute a program for dealing with unsocial, abnormal, human beings who are temporarily segregated from the community but who are soon to return to ordinary life.

He must be a man among men. He represents his institution to the public. He must be able to present his plans and ideas clearly and intelligently to his managing board, to the Governor of the state, and to the legislature, and to command their approval and support.

The warden should be a gentleman. Colonel Richard P. Williams, Commandant of the United States Marine Corps Barracks at Paris Island, South Carolina, did not put it too strongly when he said, in reply to my questionnaire: "The most necessary qualification for the superintendent of a prison is that he be first, and above all things, a gentleman. By gentleman I mean a well-bred man of education, refined in feelings and manner. In addition he must be forceful, practical, and have had experience in handling men. He must be interested in his work for the work's sake."

The warden must be a man of decision, of character, and of absolute fairness. However crooked a prisoner may be, he is always ready to demand a "square deal." He is quick to discern and resent unfair dealing from his superiors, and a warden who is not himself upright and straight is powerless to inspire uprightness in a prisoner. No man is fit for the position who is not interested heart and soul in his job, and who is not eager to qualify himself for it by every means in his power. The great

prison superintendents and wardens of the United States, like the Pillsburys, Brockway, Tufts, McClaughry, Garvin, Wolfer, and Scott have been men of this sort.

Wardens are often criticized for conditions over which they have no control, and sweeping condemnation is often pronounced upon them as a class. See, for example, the statements made in a recent magazine article: namely, that "the small henchman from which the average warden is recruited, is not an expert in anything"; that "he is usually ignorant"; and that there is hardly a college man among the wardens of our penal institutions. I have known wardens who were ignorant, cruel, intemperate, and vicious; I have known those who were visionary, emotional, and oversympathetic. But the average warden, as I have known him, is a good citizen, an honorable man, the father of a family, reasonably intelligent, and desiring to do what is right and just. Many have been practical psychologists who knew the heart of the prisoner, dealt with him as a human being, and did real reformatory work.

It is not too much to say that the position of state superintendent of prisons, or of prison warden, is equal in responsibility and importance to the position of state superintendent of education, or the presidency of a college, and should command the service of a man of like character and ability.

TABLE 1.—EDUCATION OF PRISON WARDENS AND ADULT REFORMATORY SUPERINTENDENTS

Limit of education	Institutions for men		Institutions for women		Total	
	Number	Per cent	Number	Per cent	Number	Per cent
Common school....	11[a]	24	1	7	12	20
High school graduates.....	18[b]	39	6	43	24	40
College graduates..	17[c]	37	7	50	24	40
Total.....	46	100	14	100	60	100

[a] These eleven wardens include at least four with high records of efficiency.
[b] Several of these studied also in normal or professional schools.
[c] Including a graduate from West Point and one from Annapolis.

Some people have the impression that prison wardens are ignorant and unlettered men, but as may be seen from the pre-

ceding table, 40 per cent of the 60 prison wardens and superintendents who furnished educational information in reply to my questionnaire are graduates of colleges, and another 40 per cent are graduates of high schools.

As to the matter of experience, answers to the questionnaire showed that out of 52 prison wardens and superintendents replying, 26 had had previous institutional experience and 26 had had none. Of those who had had previous experience eight had been deputy wardens and five had been wardens or superintendents of other institutions.

Information was obtained by a special questionnaire as to the terms of service of 235 wardens and superintendents who have served since 1890, but who have now completed their terms, with the following results:

TABLE 2.—TERMS OF SERVICE OF 235 PRISON WARDENS AND ADULT REFORMATORY SUPERINTENDENTS

Length of service	Number	Per cent of total
1 year or less	44	19
1 to 2 years	30	13
2 to 3 years	26	11
3 to 4 years	40	17
4 to 5 years	23	10
5 to 7 years	29	12
7 to 10 years	19	8
10 to 15 years	17	7
Over 15 years	7	3
Total	235	100

44, or 19 per cent, served one year or less, with an average term of .. 0.8 year
74, or 31 per cent, served two years or less, with an average term of . 1.2 years
100, or 43 per cent, served three years or less, with an average term of 1.6 years
140, or 60 per cent, served four years or less, with an average term of 2.2 years
235, or 100 per cent, served an average term of 4.8 years

If the opinion already expressed is correct, that it will require two years' experience to qualify any man, however able, for the position of prison warden, it appears that about a third (31 per cent) of these wardens served at best no more than the minimum training period. On the other hand, the services of those who

completed the necessary training period were, on the average, lost to their institutions in less than five years afterward.

The brevity of term of wardens in some prisons is shown by the following figures compiled from answers to questionnaire:

TABLE 3.—AVERAGE TERM OF WARDENS IN SELECTED INSTITUTION

Institution	Number of years covered by reply	Number of wardens	Average years of service
Texas, State Penitentiary	7	5	1.4
New York, Sing Sing Prison[a]	12.5	7	1.8
Michigan, State Prison	16	7	2.3
New Mexico, State Penitentiary	21	9	2.3
Nevada, State Prison	14	6	2.3
New York, Clinton Prison	14	6	2.3
Fort Leavenworth, U. S. Penitentiary	14	6	2.3
New York, Bedford Hills	20	6	3.3
Total	118.5	52	2.3

[a] Sing Sing Prison is reported to have had 36 wardens in seventy-two years.

Out of 235 wardens and superintendents whose term of service in that capacity was reported in reply to the special questionnaire, 22 had a record of more than ten years of service, as follows:

Zebulon R. Brockway, New York	50 years
Albert Garvin, Connecticut	43 "
John L. Whitman, Illinois	34 "
T. B. Patton, Pennsylvania	31 "
Otis Fuller, Michigan	27 "
B. F. Bridges, Massachusetts	21 "
Henry Wolfer, Minnesota	21 "
William H. Moyer, District of Columbia	about 20 "
Joseph F. Scott, New York	19 "
J. A. Leonard, Ohio	18 "
D. J. Griffith, South Carolina	18 "
C. W. Bowron, Wisconsin	18 "
E. J. Murphy, Illinois	18 "
A. H. Leslie, Pennsylvania	18 "
Nelson Viall, Rhode Island	16 "
Thomas H. Rynning, Arizona	15 "
Frank Moore, New Jersey	14 "
Miss Katharine B. Davis, New York	13 "
James B. Wood, Virginia	13 "
Mrs. Jessie D. Hodder, Massachusetts	12 "
Mrs. Frances A. Morton, Massachusetts	11 "
E. J. Fogarty, Indiana	12 "

STATE OFFICIALS NEED EDUCATION

State Superintendents of Prisons. State superintendents of prisons and prison boards need education in penology as well as

wardens. The office of superintendent of prisons is extremely important, as it covers the entire administration of the state prisons and the selection of prison wardens; but, more important still, the governor and the legislator must look to the state superintendent for information and advice, and for the planning of comprehensive state correctional programs. There have been some strong and capable men of vision in this position, such as Austin Lathrop, Joseph S. Scott, and William F. Rattigan of New York; Colonel C. B. Adams and Sanford Bates of Massachusetts; C. B. Rogers and William F. Feagin of Alabama.

Governors and Legislators. Governors and legislators must be educated in penology. Every governor is obliged to face its complex problems; most of them without any previous knowledge of the subject except what may perhaps have been acquired through service as a prosecuting attorney or a member of the legislature. The subject is only one of many which confront the governor, and he finds himself involved in a maze of difficulties. [How are governors to qualify for dealing with penological problems? Some have acquired wisdom through experience while in office; but usually this wisdom has come too late in their term to be of practical service. It is a pity that each of them could not take a six weeks' training course in penology as a preliminary to assuming their duties.] Rutherford B. Hayes, during his term as governor of Ohio and later as President of the United States, gave the world the benefit of his experience in many years of service as president of the American Prison Association. He wrote and spoke wisely and sanely on penology. His papers and addresses in the annual proceedings of the American Prison Association and the National Conference of Charities and Correction are still authoritative. His devotion to this cause was due to his strong feeling that the prisoner is overlooked by society. "Who cares for the poor prisoner?" he asked. George M. Hoadley, formerly governor of Ohio, in the National Conference of Charities and Correction of 1886, read a paper on the pardoning power based upon his experience, which became a classic. As a rule, however, governors and legislators have to rely upon the advice and information of prison executives. Governor John J. Bagley of Michigan, who enjoyed the advice and inspiration of Superintendent Z. R. Brockway while the latter was in charge of the Detroit House of Correction, in 1870 advocated the indeterminate sentence plan and induced the leg-

islature to appoint a commission to examine the criminal laws of the state and to take steps for their revision. In 1873 he urged the classification of prisoners and the prohibition of the confinement of convicted prisoners in jails.

This necessary dependence of governors and legislators upon prison administrators is an additional argument for the adequate training of prison officers. As already stated, the New York School of Social Work, Columbia University, Michigan State University, the University of Missouri, and certain other universities and training schools are offering courses in penology and criminology. In order that prison officials may be able to meet their obligation to supply information and advice on sound prison administration to governors and legislators as well as to maintain a humane type of institution on behalf of the prisoners, I suggest that a committee of the Wardens' Association be created to confer with the representatives of the institutions mentioned with reference to the adaptation of the courses they give to the needs of present and prospective prison wardens and superintendents of reformatories.

BOOKS AND PAMPHLETS ON PENOLOGY

In the absence of opportunities for instruction in schools and classes, prison officials can receive much help from books and journals. There are the annual volumes of the Proceedings of the American Prison Association, for instance, and a number of recent important and elaborate penological studies. Within the last four years four such studies have been issued: Report of the Pennsylvania Commission to Investigate Penal Systems; Report of the New Jersey Prison Inquiry Commission; Report of the New York Prison Survey Committee; and Report of the Cleveland Foundation on the Administration of Criminal Justice in Cleveland.

These reports give the latest information with reference to the modern trend of penology and are full of important suggestions. In answer to a letter sent to 127 prison wardens asking whether they had seen and read these reports, one replied that he had read two; another, that he had read one. No other warden or superintendent stated that he had ever seen these reports.

The *Journal of the American Institute of Criminal Law and Criminology* and *The Survey* also publish many important articles in this field.

In addition to the journals and reports mentioned, such standard authorities as E. C. Wines's great book entitled, The State of Prisons and of Child Saving Institutions in the Civilized World; Frederick Howard Wines's book, Punishment and Reformation; Z. R. Brockway's Fifty Years of Prison Service, which is a living picture of fifty years of progress in penology; Louis N. Robinson's book, Penology in the United States; and Burdette G. Lewis's book, The Offender and His Relations to Law and Society, should also be in the library of every warden. In the Appendix I submit a bibliography of books which seem indispensable to any official who wishes to obtain a comprehensive survey of the subject.

APPENDIX

SELECTED LIST OF REFERENCES ON PENOLOGY AND RELATED SUBJECTS

THE ADULT OFFENDER

American Prison Association. Proceedings, 1870. New York, American Prison Association. (Previous to 1908 known as National Prison Association.)

———— Resolutions adopted by the Annual Congress, including the Declaration of Principles of the 1870 Congress, reaffirmed at the New York meeting. New York, American Prison Association, 1919.

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Cass, E. R. Parole Laws and Methods in the United States. New York, Prison Association, 135 East 15th St., New York, N. Y.

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Ellis, Havelock. The Criminal. Ed. 5. 440 pp. New York, Charles Scribner's Sons, 1915.
Chapter 6: The Treatment of the Criminal.

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Fosdick, R. B. American Police Systems. 408 pp. New York, The Century Company, 1920.

Garofalo, Raffaele. Criminology. 478 pp. Boston, Little, Brown and Company, 1914.

Glueck, Bernard. Studies in Forensic Psychiatry. 269 pp. Boston, Little, Brown and Company, 1914. (Criminal Science Monograph, No. 2.)

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———— County Jails. New York, National Committee on Prisons and Prison Labor, 1917. (Prison Leaflets, No. 40.)

———— Report on the Vermont Plan of Employing Jail Prisoners, with reports by C. S. Richardson and W. H. Slingerland on the Application of the Vermont Plan in Vermont, Connecticut, Delaware, Ohio, and Wisconsin. Unp. Montpelier, Vermont, 1917.

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———— Social Progress of Alabama; a second study of the social institutions and agencies of the State of Alabama. 62 pp. Montgomery, Alabama, 1922.

Hart, H. H. Chairman. Papers read at the Fifty-first Annual Congress of the American Prison Association, Jacksonville, Florida, 1921. New York, Russell Sage Foundation, Dept. of Child-Helping, Publications: Nos. 41–50, 1922.

Henderson, C. R. Editor. Prison Reform. 168 pp. New York, Russell Sage Foundation, 1910. Volume includes Criminal Law in the United States, by Eugene Smith.

Hobhouse, Stephen, and Brockway, A. F. Editor. English Prisons Today; being the report of the Prison System Inquiry Committee. 728 pp. New York, Longmans, Green and Company, 1922.

Jaffray, Julia K. Editor. Prison and the Prisoner. 216 pp. Boston, Little, Brown and Company, 1917.

Klein, Philip. Prison Methods in New York State; a contribution to the study of the theory and practice of correctional institutions in New York State. 420 pp. New York, Longmans, Green and Company, 1920. (Columbia University. Studies in History, Economics and Public Law. Vol. 90, No. 1.)

Lewis, B. G. The Offender and His Relations to Law and Society; with introduction by G. W. Wickersham. Ed. 2. 382 pp. New York, Harper Brothers, 1921. (Harper's Modern Science Series.)

Miner, Maude. Slavery of Prostitution. 308 pp. New York, The Macmillan Company, 1916.

National Conference of Social Work, formerly National Conference of Charities and Correction. Proceedings, No. 1–date, 1874–date. W. H. Parker, General Secretary, 23–25 East 9th St., Cincinnati, Ohio.

New Jersey. Prison Inquiry Commission. Report of the Commission to Governor Walter E. Edge and the Senate and State of New Jersey, Trenton, New Jersey, January 1, 1918. 2 vols. Trenton, New Jersey. The State, 1918.

New York (State). Prison Survey Committee. Report. 412 pp. Albany, The Committee, 1920.

Osborne, T. M. Within Prison Walls; being a narrative of personal experience during a week of voluntary confinement in the State Prison at Auburn, New York. 327 pp. New York, D. Appleton and Company, 1914.

Parmelee, Maurice. Criminology. 522 pp. New York, The Macmillan Company, 1918. Pt. 5: Penology.

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Wines, E. C. State of Prisons and of Child-Saving Institutions in the Civilized World. 719 pp. Cambridge, University Press, 1880.

Wines, F. H. Punishment and Reformation; new edition revised and enlarged by W. D. Lane. 481 pp. New York, Thos. Y. Crowell Company, c1895–1919.

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Addams, Jane. Spirit of Youth and the City Streets. 162 pp. New York, The Macmillan Company, 1909.

Breckinridge, S. P., and Abbott, Edith. The Delinquent Child and the Home. 355 pp. New York, Charities Publication Committee, 1912. (Russell Sage Foundation.)

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Coulter, E. K. Children in the Shadow. 277 pp. New York, Robert M. McBride and Company, 1913.

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———— Individual Delinquent; a textbook of diagnosis and prognosis for all concerned in understanding offenders. 830 pp. Boston, Little, Brown and Company, 1915.

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Mangold, G. B. Problems of Child Welfare. 522 pp. New York, The Macmillan Company, 1914.

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———— Child Welfare Work in California; a study of agencies and institutions. 247 pp. New York, Russell Sage Foundation, Department of Child-Helping, 1915.
———— Child Welfare Work in Pennsylvania; a co-operative study of child-helping agencies and institutions. 352 pp. New York, Russell Sage Foundation, Department of Child-Helping, 1915.
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———— No. 32, Juvenile Delinquency in Rural New York, by K. H. Claghorn, 1918.
———— No. 39, Juvenile Delinquency in Certain Countries at War. 1918.
———— No. 43, Children Before the Courts in Connecticut, by W. B. Bailey, 1918.
———— No. 60, Standards of Child Welfare; report of the Children's Bureau Conferences May and June, 1919, pp. 368–90.
———— No. 65, Courts in the United States Hearing Children's Cases, by Evelina Belden, 1920.
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