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Where Prisoners Are Trusted

W. E. Collett

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"WHERE PRISONERS ARE TRUSTED."

W. E. COLLETT.

Under the above caption appears an editorial in the Chicago Daily Tribune, August 7, 1911, as follows:

"For several years there has been a system of trust and honor pursued toward the prisoners in the Colorado penitentiaries. The state uses them as laborers in building and repairing roads and a number of fine highways has been constructed by this means. Sometimes as many as a hundred are in camp miles away from the prison for weeks at a time. The guards are not armed. The men work eight hours a day, and after supper they go swimming, play ball, and take walks in the mountains."

At the invitation of the managing editor of the JOURNAL OF CRIMINAL LAW AND CRIMINOLOGY, the following additional facts are submitted:

On May 12, 1908, Warden John Cleghorn shipped eighty men from the penitentiary at Canon City to a construction road camp in the foothills between Trinidad and the New Mexico line, about 150 miles from the prison. The camp had been prepared by ten "trusties," under the direction of one prison officer. This gave the camp a population of 90 prisoners, in addition to the "captain" in charge of the camp and two other officers who acted as overseers of the road construction.

These prisoners ate and slept in tents. There were no armed guards; there was no stockade of any kind; nor had a fence been built around the group of tents.

Similar "prison road camps" had in recent years been established in various parts of New Mexico. The experience in the territory had inspired the prison authorities and a few other public-spirited citizens of Colorado to urge the experiment of building public highways in this State with the labor of "trusty" prisoners. The Sixteenth General Assembly had timidly appropriated \$10,000 for the experiment, and the equipment of horses, mules, wagons, scrapers; tools, tents, etc., cost approximately one-half of the amount.

So uncertain was the public sentiment at large that the authorities reluctantly gave forth any information as to the motive for moving so large a percentage of the penitentiary population when eighty prisoners

were put aboard a train. But in a short time work was progressing so splendidly that illustrated "write-ups" in the daily papers of the State assured the people that "convict" road building in Colorado had already passed the experimental stage.

It was in September of that year that the writer spent an entire day at the camp. The arrangements and management of the camp were all that could be desired in the matters of sanitation and discipline. As the General Secretary of the Prison Association, the writer was known to every prisoner in camp. After the captain had gone over the road for some distance and had explained the plans and details of construction, he gave permission to converse with prisoners, either at camp or on the road. Everywhere one saw evidences of contentment. Oh, the men were counting the days which stood between them and parole; they were anxious about their homes; they were eager to be with their loved ones again. But the comparative freedom of the camp life, together with the interest felt in doing work worth while, contrasted so broadly with life and dull routine within prison walls that the joy of these convicts was all but hilarious. Again and again the men would salute and call out, "Well, what do you think of our work, Mr. Collett?" Had they been expecting to clip coupons on profits from operating the road which they were building, they could scarcely have shown more interest in their labor.

And yet their only remuneration, in addition to the liberty of the road camp, is a generous special allowance of "good time," enabling them to make parole more quickly.

The State has wisely remembered that these prisoners are as human as any of us, and therefore susceptible to the influence of reward. All prisoners who work without the prison walls are known as "trusties"; and under a special law enacted two years ago they are entitled to ten days' "good time," in addition to the "statutory" good time, for every thirty days of good conduct, which embraces efficient work as well as conformity to general rules and regulations.

Of course the "maintenance" expense for prisoners in camp is greater than for those within the prison walls. It has been clearly demonstrated that these "trusty" prisoners engaged in road-building do as much work each day, and do it as well, as the laborers in a general construction camp; and this means that they consume more food than when they are in the prison; they wear out clothing more rapidly, and the expense of maintaining horses, mules and implements is a very considerable item. But the results are worth it all, for every reason.

"WHERE PRISONERS ARE TRUSTED"

More complete information on this subject of road-building by the convicts of Colorado is furnished in the Seventeenth Biennial Report of the Colorado State Penitentiary. In his report Warden Thomas J. Tynan says:

"They (the convicts who work on public highways) have been employed chiefly in building highways in Las Animas, El Paso, Pueblo and Fremont counties, where an average of 104 men have worked for 610 days. They have built fifty miles of good roadway, some of which has been driven through most difficult formations in the rocky foothills and mountainous regions of the State, where a road could not have been built with free labor for less than twenty-five thousand (\$25,000) dollars per mile in some sections. Twenty miles were blasted out of solid rock. The tables which I append show that the work was done at a total cost of only fifty-six thousand seven hundred (\$56,700) dollars to the taxpayers (outside of the inevitable cost of prison maintenance), and this includes the salaries of ten overseers, the feed for teams and the purchase of \$3,788 worth of horses, tools and equipment that now belong to the State. The cost of the road would have been \$212,160 with free labor by contractors. Therefore, we figure that on this item alone our prisoners have returned at least \$155,460 to the State.

"With regard to the selection of convicts for road and ranch work, I insist that this selection should not be governed by length of sentence or nature of the crime. My experience has absolutely disproved the accepted theory that 'only short-time men' can be trusted with this large measure of liberty. At present I am working eight 'life-timers' away from the prison, their words of honor the only guard. In every camp, on every ranch, there are 'long-sentence' men, the type hitherto known as 'desperate criminals.' As a matter of fact, I find this kind—the strong characters of crime—much more susceptible to fair appeal than the petty, jelly-back offender. My real trouble is with the 'hoboes,' who are always short-time men.

"The value of road-building to the State has been proven, and its benefit to the convicts fully attested. Not only have splendid highways been shot through regions hitherto almost inaccessible, but many men, under skilled overseers, have been taught scientific road-building in all its branches from simple scraping to hard rock work. As in the case of the proposed farm, road-building likewise gives the released convict a fair chance to work honestly and prosperously in the open air.

"In order that the State and penitentiary may equally enjoy the fullest possibilities of this released energy, I would suggest a change from

the present plan. As it is now, our road men are scattered here and there in small camps, working on this and that county road. The arrangement not only prevents the use of the largest possible number of men, but falls short of the best possible results. I would suggest that the legislature be asked to consider the matter of appropriations for state highways large enough to cover the entire biennial period.

"Great highways, stretching from border to border, would be permanent improvements, rich in benefit to the whole people. And such work, by permitting large camps and centralization of men, would allow the use of twice the present number. On a State highway, backed by adequate appropriation, we could keep three hundred men employed throughout the biennial period and give Colorado those great arteries necessary to fuller life.

"The highway to the top of the Royal Gorge deserves particular mention. While built in and for Fremont County, it gives accessibility to one of the wonders of the country, and is a benefit and advertisement to the whole State. Every turn in the road discloses new beauties—its end is the very brink of the great canyon—and travelers are enthusiastic in declaring that it will eventually become one of the famous scenic thoroughfares of the world. The grade permits all classes of vehicles to make this amazing climb, and I am confident that few states can boast a finer example of scientific road-building. The greater portion was blasted out of solid rock, and yet the cost to Fremont County was only \$6,400. With free labor the work could not have been performed for less than \$40,000.

"Equally noteworthy, although less conspicuous, is the recently completed road through Dead Man's Canyon. This is on the main line of roadway from Colorado Springs to Canyon City, and has added another remarkable stretch to Colorado's list of wonderful scenic drives. In addition to cutting down the distance between these two points from fifty-one to forty-four miles, the grade will be reduced from a maximum of twenty-seven per cent at Red Hill to a minimum of six per cent. I would suggest that the legislature be asked for an appropriation that will permit us to work a large number of men on this highway throughout the ensuing biennial period and carry it to splendid completion.

"In the seventeen miles already completed we have encountered the most difficult part of the work, and eight miles of which has been blasted out of the foothills largely through solid rock. The remaining twenty-seven miles offer few obstacles, being dirt work largely."

"WHERE PRISONERS ARE TRUSTED"

ACTUAL COST OF ROADS BUILT BY CONVICTS.

County.	No. miles.	Actual cost.
Las Animas	11	\$10,600
El Paso	17	24,000
Pueblo	14	15,700
Fremont	6	6,400
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Total		\$56,700
Total number of miles constructed		50
Average number of men employed		104

ESTIMATED COST OF ROADS BUILT BY CONVICTS IF CONSTRUCTED BY CONTRACTORS WITH FREE LABOR.

104 men at \$2 per day, working 610 days.....	\$126,880	
Superintendents and overseers	6,000	
Stone masons	4,000	
Blacksmithing, etc.	4,000	
Culverts and bridges	32,000	
Wear and tear: teams and tools	4,000	
Feed of teams	12,000	
Interest on equipment	4,000	
Contractors' profit 10 per cent.....	19,280	
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Total	\$212,160	

The effect of the "trusty" system, as employed by Colorado penitentiary officials, has had a very wholesome effect upon the discipline of the institution. Only those whose conduct has commended them can expect admission to this class. Mere conformity to printed rules, so easy to the old "rounder," does not suffice. The prison atmosphere is impregnated with the sentiment of the "square deal"—from prisoner to prisoner, from prisoner to officer, from officer to prisoner. Fifty to one hundred men see the warden in "audience" after chapel, Sunday mornings; and about three-fourths of the requests are for a trusty job on garden, ranch or road camp work. The prisoners are not dismissed with "yes" or "no." The pros and cons are discussed by warden and prisoner. Length of term, time already served and needs of a dependent family are taken into consideration, as well as the general conduct of the prisoner.

If there be a place where the man can be employed outside of the prison walls, in case the prisoner has impressed the warden that he will

be "on the square," the warden will ask him to raise his right hand and take an oath to be faithful in the work to which he may be assigned, and not to try to make a "get-away." In several instances men who have run away have voluntarily returned themselves, assigning the reason that they had not given the warden a "square deal," after he had trusted them, on their oath.

The experiences of Colorado prison officials, in common with the prison officials of several other communities, only confirm the views upheld by students of prison problems for many years—that a very large percentage of our prison population consists of men who have a distinct and encouraging sense of honor. The old prison system only crushed such men to the level of confirmed criminals. The modern spirit of prison management points to hope and redemption.

Since the above-described regulations have been enforced in the Colorado penitentiary, the Prison Association has helped several hundred prisoners from the prison and the road camps to a new start in life. The prisoner who is paroled from the public highway camp is invariably sound in body and mind. He is readily placed at hard labor, and does not break down by reason of nervousness or flabby muscles, as is often the case with the man who is paroled from within the prison walls. Indeed, we oftentimes wish the day would speedily come when state farms and state highways would supplant the walled prison for most of our convicts. Fewer lapses into crime would result.