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JAILS, LOCKUPS AND POLICE STATIONS.¹

JOHN L. WHITMAN.²

If it was expected of the Special Committees on Jails, Lockups and Police Stations, appointed at the last session of the American Prison Congress to report the present actual conditions in such institutions throughout the country, it would but repeat what has been reported to this and similar organizations, many times before, with slight variations, of which conditions most of you are well aware.

Intelligent inspection has in many cities or communities been made and recommendations followed, which, when carried out, resulted in improving conditions in some respects; possibly in reconstruction, or even new construction, where old, dilapidated or antiquated buildings had previously been utilized as places of detention for those charged with having violated the law. These improvements, in most instances, have been made along approved lines, and are more or less permanent in their character, but are not radical enough to even approach ideal conditions that should prevail in houses of detention, which are intended only to house those who are suspected of being misdemeanants or felons.

James A. Leonard of Mansfield, Ohio, former president of this association, said at the last congress: "By common consent, the County Jail System in the United States is declared to be the worst feature of our penal system."

He undoubtedly not only hoped that the jail system might be improved and advanced to a high standard of efficiency for the good of the individual inmates, and, ultimately, the public; but he, without doubt, realized that it is in these houses of detention that the opportunity is given, to do not only preventive work in some cases, but to form the basis upon which much progress can be made, looking toward the ultimate reformation of others, and to co-operate in making improvements in the whole penal system.

¹Report of Committee of the American Prison Association, St. Paul, October 8, 1914.

²Superintendent of Chicago House of Correction, Chairman of the Committee.

In reality it is here that exhaustive research work should be done looking to the solution of the great problem "The Cause of Crime," which has occupied the attention and been discussed very seriously by experts and specialists in their scientific study of the subject.

The problem has by no means been solved, but it has been determined that there are many contributing influences that should be considered before intelligent judgment can be rendered by the court in disposing of the cases brought before it; and yet the jail system of today is what it was before this study was made or determination reached, and the system has done nothing to assist in the solution of the problem as to "the cause of crime," or to enable a more intelligent judgment to be rendered upon conviction; nor has the system even encouraged the study of it. This, I mean, as a criticism of the system rather than of the personnel of its present-day managers.

Before preparing this report, the chairman communicated with the entire membership of the committee and received statements from most of them, from which it can be deduced that the consensus of opinion is that the jail system, as Mr. Leonard called it, is not productive of the sort of results that the public have a right to expect from it.

Mr. C. L. Stonaker, Secretary of the State Charities Aid and Prison Reform Association of New Jersey, in substance said:

Committees have reported year in and year out since 1872, and nothing has been accomplished that is worth while. All reports on conditions in jails, lockups and police stations seemed to fall upon an unsympathetic and apparently deadened community. We, who read the reports, know the evils of the whole system, and those who do not read the reports do not care to know.

We make no progress in jail construction, because we are under the domination of a few jail contracting firms, who simply want to sell as much steel as possible and have none of the modern thought as to the uses the construction should be put to. In short, he said, the jail is a relic of ancient days which we inherited. It is now time something different is substituted. We can inspect jails, rebuild jails—and even condemn and have new ones built—but still it remains the old relic, which is out of date.

We must change our Criminal Code as laid down in the statutes, and accumulated through many years of antiquated thought. For offenses against municipal ordinances, we have only conceived of the fine and a number of days' imprisonment, in lieu of non-payment of the fine. The suspended sentence is resorted to here and there, and

we have a little bit of probation work, but the dollar fine and the day sentence still is imposed.

We should have a change in our Criminal Code, so that persons offending against the law will be studied to discover why they offended, and then a treatment will be proposed to remove the cause of the offense. A study of the mental, moral and physical make-up of the individual must precede the application of the treatment. Our Criminal Code is based on the assertion that everybody is free, equal and normal. This is an arbitrary standard that fails in practice. We must commit offenders for treatment as we commit a sick person to a hospital. At the hospital the doctors study the patient—and the case—in all of its aspects to find out what is the matter, and why—they then apply a treatment in accordance with the diagnosis reached, when a cure is possibly effected.

Our present system, which provides, in some instances, only for the imposition of a fine, and imprisonment in case of non-payment, has not proven to be a cure. Our probation and parole laws have been operated successfully only in a limited number of cases, probably because there has not been a complete and exhaustive study made of the cases that would secure a good diagnosis, enabling the administrators of the law to prescribe a curative treatment.

Houses of detention will not be performing their natural functions to the fullest extent until facilities are provided in them for making a diagnosis of cases, and until they are manned by those who are competent to use those facilities in making a proper diagnosis of the cases committed to them, so that intelligent treatment may be accorded the individuals there or in institutions better fitted to administer a curative remedy, which will either mean rehabilitation of the patient or a protection for the public. This would also be assisting those who are attempting to solve the problem as to "The Cause of Crime."

Mr. Thomas, Secretary of the State Board of Charities and Corrections of Colorado, has said: "Throughout the United States we are following the most expensive and least effective system of dealing with petty misdemeanants. The absolute absence of reformatory influences in jails, lockups and police stations is a sad commentary on public economy, as other organizations must expend the people's money to counteract the physical demoralization caused by the carelessness of the divisions of public administration. It is to be regretted that there is a dearth of literature on jail architecture and management. It seems physically and financially impossible to remodel the

existing jails, or their management, to conform with present-day ideas; but much can be done to improve conditions.

Public officials should be educated to the necessity of seeking expert advice when new jails are to be erected. The average man who has to do with letting contracts for the erection of jails knows little or nothing of what is required in such a place; nor is the average architect competent to present properly designed plans for such an institution. In the future there should be a definite policy pursued in relation to the requirements of jails and their architectural details should conform to the policy adopted.

The question of location should also be carefully considered. Trained men should be in charge of the jails, and a reformatory influence should be thrown around the inmates immediately they are received. It is here the regeneration of the lawbreakers should commence, and the discipline of the place should be a part of a well considered and approved system, beginning with the jail and ending with the penitentiary.

The exercise of a reformatory influence by the management of jails over the inmates should be insisted upon, for it will be a benefit to many, and is in harmony with the demands of the times; but in addition to that, there should be a thorough examination of each inmate as to his mental and physical condition. If he is physically impaired or undeveloped, treatment should be started at once, and continued, if necessary, while he is an inmate there or while he is serving sentence elsewhere.

Many inmates in penal institutions who really have physical infirmities, trace their delinquency or start upon a criminal career, to the time they were—or thought they were—incapacitated for work because of these infirmities, which are at times readily cured by proper surgical or medical treatment. When they are cured, they feel obligated for that which they knew not how to receive before they were under the bane of the law, and are then really prepared at the expiration of sentence to take their place among free men with a more equal chance of success than they knew before.

If upon examination some are found to be mentally deficient, then a careful study should be made to determine to what degree, if at all, they could be benefited by any kind of professional treatment, or how they should be handled while restrained of their liberty after conviction, or awaiting the judgment of the court before trial. When the courts learn that such information is at hand as experts and professional men can give in a report after examination has been made of mental deficiency or physical illness, the court will undoubtedly be

anxious to secure it and to be guided thereby in determining what judgment to render, if the accused is found guilty of a crime what sort of care he should get, and what sort of institution should restrain him. If released by the court, those in whose care he is placed should be informed, if not instructed, how he should be handled or assisted. Most mental defectives can as easily be made non-criminal as criminal.

I will not attempt to discuss in this report how the Criminal Code might be changed so that it could be considered a part of the work of the jail system to provide efficient medical service. The application of the conclusions of a psychologist to vocational placing or training with the view of determining the vocations inmates are most adapted to, as well as to the exercise of reformatory influence, is an end to be desired. This is public welfare and social service work that has already been taken up by commissioners and bureaus under the direction of municipal and state governments in public institutions. If the signs of the times are read correctly, all this will be done in the near future, in fact, is being done now in some form in some localities, especially in large cities.

The policy of having jails, lockups or police stations under city, county or state control, might, and probably should, be considered alone and separate from the policy above outlined. The conditions in rural districts where there are lockups in villages, and a county jail as the only intermediate place between the lockup and the state penitentiary is somewhat different than in the large cities where the police stations take the place of lockups; where the county or city jails are situated, and where also the house of correction or workhouse as stepping stones to the penitentiary, are located. But in both the rural districts and the cities the same policy should and can be adopted, providing for scientific care and treatment of those who come under the bane of the law. In the course of time much progress has been made in the sciences and in the arts. Business enterprises have attracted the attention of the most brilliant minded men as progress in that line has been made. The mechanical genius has startled the world with his inventions, during this time—but very little if any progress has been made in the matter of handling the delinquent or criminal classes, especially so far as petty offenders are concerned.

Before progress can be made in this matter as rapidly as it has been made in other directions, there must be a public sentiment favorable to it, as it devolves upon public servants to make such progress. It has been necessary to find means of arousing the people to the necessity of changing methods so that better results can be brought

about. Within the memory of many of us, public servants have been declared to be unfit for public office because they advanced such ideas as are now being approved. Public sentiment is now being moulded so that moral support will be given to advanced ideas. Scientific study has been made—the results of which have enlightened the public and the administrators of the law as to the best methods to be employed in handling offenders and removing causes.

The fact is now being recognized, that only a comparatively small per cent of offenders are willfully following a criminal career; that a large per cent, will, when studied, reveal an underlying cause for their apparent criminal tendencies, over which it will be found they have had but little, if any, control. This cause can be determined and often removed while they are in houses of detention awaiting the action of the law, and no great amount of legislation or added expense will be necessary to provide the facilities to do this, either in rural districts or the cities.

No great length of time need be spent in lockups by those arrested in rural districts. They are, or soon can be, transferred to what is known as the county jail. Likewise in the cities, prisoners are early taken from the police stations to the jail, which is in the same city, so that if the more modern idea or policy of giving scientific care and attention to inmates in jails be adopted, the influence of that work would soon be felt by those in charge of the smaller institutions (the lockups and police stations), and the same kind of work, to some extent at least, would be done there, or the transfer of prisoners to the recognized house of detention (jail) be hastened. The jail could be made what it is intended to be; a house of detention, where all the latter day thought could be worked out; an institution that would prove its worth as part of an efficient penal system; first, a thorough physical examination should be made, and hospital care or surgical attendance be given when it is indicated. We know that this is provided in some jails now, but upon investigation it will be found that the work is only superficially done, and only acute cases are treated.

The work of the medical department should be very thorough and all facilities provided that would permit of the best results. There is no better place than such a department where research work can be done which would be helpful in diagnosing or preparing cases to be studied in a psychopathic laboratory.

In Chicago there is in connection with the House of Correction a hospital adequately equipped with necessary facilities, as well as with resident and attending physicians, to do the sort of work men-

tioned here. And in addition to giving medical service to regularly committed inmates, there are provisions for the care of cases that have been taken into custody by the police, and who are in need of medical or surgical attention. About 150 of these emergency cases are treated each month. When they respond to treatment they are taken to court, physically and mentally fit to be presented, and the court is better able to dispose of the cases intelligently because of the information the hospital records disclose.

This department of the House of Correction, which is in reality a City Emergency Hospital for the use of the police department, has been operated, as outlined above, for more than three years and has in that time demonstrated the great value of that kind of work, in aiding the management of the House of Correction in assigning inmates to vocations in the institution, and in advising them, upon expiration of sentence, as to their fitness for occupations at which they expect to earn an honest livelihood. There was opened a few months ago, a psychopathic laboratory, and a psychologist was placed in charge of it, who has outlined and is carrying out a program, which would be well adapted to houses of detention, now known as jails.

The following may be offered as the program of a psychological research laboratory in a centralized system for unconvicted offenders.

The work naturally divides itself into two divisions: First—Diagnosis. Second—Treatment.

Diagnosis. Under this heading are included the social, the physical and the mental examinations. In the mental examination modern scientific apparatus would be used, such as the Binet Scale, Form Boards, Construction Puzzles, the Dynamometer, Ergograph, Algometer among other experimental material, for the purpose of making longitudinal, as well as cross sections of a subject's capacity and development in sensation, perception, attention, concentration, association, memory, imagination, discrimination, conation, affection, reasoning and suggestibility, besides determining the ideational type, the reaction type, and so on. Besides what has already been enumerated, the mental age, special abilities, predilections, likes and dislikes and moral development will be determined. Here, also, will be estimated the psycho-physical power of the individual, his general strength and that of specific bodily parts; his fatigue index, his power of endurance, his daily work-curve and his efficiency type.

Under the caption "Physical" will be included an examination of all organs, both as to development and function. For this latter purpose biochemical analyses will be made to determine any disor-

ders of metabolism, any abnormalities in bodily secretions and excretions. A systematic diagnosis will be made of the condition of the eyes, ears, heart, lungs, kidneys, liver, etc. The reflexes will be examined and the blood pressure noted.

The social examination will include the subject's personal history; his education, employments, arrests, difficulties, diseases, habits, ideals; his family history, his heredity and the condition of the environment in which he at present finds himself.

Treatment—On the basis of this diagnosis a plan for individual treatment could be much more accurately and much more satisfactorily stated. The treatment will cover five different fields: industrial, physical, educational, recreational and environmental.

Under the industrial will be included vocational guidance and vocational training. An attempt will be made to adjust more closely worker and industry for the purpose of preventing, as far as possible, any human or economic waste.

Under physical treatment will be included the removal of all physical factors that tend to make the individual less fit, and the development of those powers that tend to make him more of an economic asset. Hygiene of body and of mind will be the goal toward which all efforts will be aimed.

The educational treatment will include specific trade training as well as the assimilation of that necessary knowledge and information which go to make an American citizen more and more efficient.

The recreational and environmental treatment will be in the hands of social workers and public welfare agents, after the inmate leaves this centralized institution.

Throughout all of this work a close co-operation will be maintained between this laboratory and all social agencies.

One of the most important features of this program will be an efficient "follow-up" system, to check up the hypotheses and conclusions of the laboratory psychologists and physicians, by an actual observation of the released cases.

The industries of this centralized institution may be summarized tentatively much as they now prevail at the Chicago House of Correction, as follows: Kitchen work, tailoring, shoeing (mending and repairing), basket making, rug and mat weaving, sewing, carpentry, painting, work in boiler house and engine room, brick making, broom and chair making, cement work, leather and laundry work, printing, baking, raising farm and dairy produce, tree and shrub nursery work and landscape gardening, work in store room and as clerks and assistants.

In the cases of normal persons who cannot be placed at manual training or an occupation because of the lack of industries, it would be wise to furnish means for them to pursue a line of study that would interest them.

In conclusion it would seem possible, as well as advantageous and profitable, to the community, as much as to the individuals committed to the institutions we are considering, to provide construction and to perfect a management that would permit of medical service and psychopathic work of every sort, and that would enable us to give vocational guidance and training to as great an extent as possible. It is possible also to prepare these institutions for attending to the educational needs of prisoners.

When such provisions are made there will be an opportunity to solve the problem of "The Cause of Crime" intelligently. When upon conviction of a crime, there will be good reasons furnished to a court for his saying: This convicted person should be given medical care for certain ailments; or he should be sent to an asylum for the insane; or to an institution for the feeble-minded; or to a farm colony that would be fitted to his needs, instead of to Houses of Correction, reformatories or penitentiaries, where all heretofore have been sent, the court can act intelligently. Of course, a certain number would still have to be sent to penitentiaries, etc., but their population would decrease.