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WHAT VALUE HAS THE INSPECTION OF INSTITUTIONS?

E. R. CASS¹

The initial authority for the state-wide inspection of penal institutions in New York State was provided in 1846, in the act incorporating the Prison Association of New York. The Executive Committee of the Association was empowered and required to appoint committees from time to time, to inspect the prisons of the state. It was also made mandatory that the association report annually to the legislature the results of the inspections, together with other information that would be helpful to that body in improving the government and discipline of the institutions. Although no provision was made for the enforcement of recommendations subsequent to inspections, the association has always functioned, as it should, in the capacity of public informant.

Nearly fifty years later the state established its own official inspecting body, namely, the State Commission of Prisons. Its powers and duties consist of the inspection of penal institutions, the collection of records from the same, the regulation of the construction of new institutions and to some degree the enforcement, with the aid of the law, of its recommendations. So that now in the State of New York there is an official and a semi-official form of supervision of the penal institutions.

For the past five years, the Prison Association has employed two inspectors, one devoting most of his time to institutions of the Department of Correction of New York City, and the other to institutions outside of the city. The Prison Commission consists of seven commissioners, appointed by the governor, each for a term of five years. The commission appoints a secretary, who is assisted by a chief clerk and two inspectors. The commissioners are not required to give their time daily to the work, so that the greater part of it is performed by the secretary and his very small staff. The inspection field includes over sixty jails, six county penitentiaries, several reformatories, five state prisons, and hundreds of police lockups.

The question is frequently raised as to the value of inspection. Its usefulness depends largely upon the manner and spirit in which it is performed, its purpose, and the ability and training of the inspectors.

¹Of the New York Prison Association.

It is important, so far as an institutional inspection goes, that the inspectors have courage, tact, a general training in the field in which they are to engage, and experience, particularly in an institution, in the handling of large groups of persons. The former, for impartial, efficient work, and also for a knowledge of the progressive and theoretical ideas, and the latter for a reasonable and genuine conception of the singular problems continually arising in the management of an institution.

Criticism, and sometimes suggestions are annoying and distasteful to most people, and the heads of institutions are not lacking in this human characteristic. Some administrators regard criticism, no matter how fair, unprejudiced and constructive, as the natural and only sequel of a visit, also as the inspector's invaluable asset in substantiating the need for the continuation of his job. Others welcome it in a "willing-to-try-spirit," regarding an inspector as the conveyor of ideas and the disseminator of information, both gained principally by wide visitation. Therefore, in order to deal fairly and avoid unnecessary irritation, the inspector should be fully cognizant of the many phases relating to the management of the institution under inspection. In determining to what extent the administrator of an institution is to be held responsible for defects, it is well definitely to decide whether he is doing the best he can with the facilities at his disposal. This requires, in many instances, long stays in institutions for careful observation and the weighing of testimony given by administrators, assistants and inmates.

The state prisons in New York State have undergone many improvements, structurally and administratively. Some of these changes have had their origin in the department itself and others have been brought about through recommendations made subsequent to inspections of the Prison Commission or the association. Perhaps the most conspicuous result has been the formulating of plans for the construction of a new Sing Sing. Year after year, inspections and investigations of that institution were made, and it was sometimes felt that this was all in vain. However, the repeated criticisms gradually focused the public eye on the wretched living conditions, principally the cells, and created a state-wide sentiment demanding changes. This resulted in the passing of legislation providing for a new institution with some new features, all of which, when completed, will, perhaps, give New York State the finest institution of its kind in the country.

Without the slightest doubt, inspections in the last few years have brought about many changes in our county penitentiaries. Legisla-

tion was obtained which required the separation of adults and minors. In several of the penitentiaries this much desired separation was not carried out because the original statute applied only to jails.

The treatment of prisoners under punishment has been improved. Blankets have been provided where, heretofore, prisoners were required to spend long hours in cold and damp quarters, without covering other than their own garments. Instead of being required to sleep on stone floors, a sleeping plank or bed has been placed in punishment cells. In one institution the punishment quarters have been entirely renovated. Provisions were made for better air and plenty of light. The system of dealing with prisoners under punishment was so changed that women were not kept in the punishment sections while male prisoners were there, and also that matrons supervised female prisoners under punishment.

There was found in one institution a system of punishment which recalled the days when society's attitude toward the offender was solely one of vengeance. Prisoners who attempted to escape from the institution or the quarry, when apprehended, were made to wear an iron chain about five feet long and weighing 20 pounds. This was riveted to the leg of the offender, and naturally became a part of each man until it was removed. He was required to move about the institution with it, bathe with it, go to his meals with it, sleep with it, etc. Needless to say, this form of punishment was not only degrading but was responsible for much unnecessary physical discomfort and hardship. Pictures of these chained men were shown to other institutional heads, who were surprised to learn that such a thing existed. If it were necessary to use chains, a simpler method of fastening them to the men could have easily been provided. After many protests and a live public campaign this condition was removed, and recent information is to the effect that since its discontinuance there have been fewer escapes.

Plain gray uniforms have been substituted for the striped one. Conversation has been permitted in mess halls.

One penitentiary was prominently known because of certain methods of dealing with its inmates. In the absence of sufficient employment in this institution the inmates were assembled daily in the old shop buildings and required to remain silent. After much persuasion the superintendent consented to permit free conversation for a certain period in the morning and again in the afternoon. Likewise, these prisoners were permitted to exercise once in the morning and again in the afternoon, instead of sitting the full period of morning and afternoon on benches. The use of the ball and chain in this

institution was discontinued. Sheets and pillow-cases were provided and the buckets removed from the cells during the day. Special provisions were made in the yard for them. Reception quarters were provided so that prisoners could be properly cleaned up before placing them with the general population. Special effort was made to free the institution of vermin.

The development of the county jails at all times, and particularly recently, in New York State has been largely due to inspections by the Prison Association and the Prison Commission. The following enumerates briefly improvements, some of which exist in all jails, others in numerous jails, and some in a few, with good prospects of spreading rapidly so as eventually to include every jail in the state. From the physical standpoint most of the jails now serve as satisfactory criteria, thus bringing to a close a long-waged campaign for habitable living quarters. Plain, wholesome food, served three times a day, is constantly urged, and at present less than six counties serve only two meals daily. The fee system, whereby the sheriff received a per capita sum for the board of prisoners, has been entirely abolished by law. Cleanliness of the jail and of its equipment is an absolute requirement. The out-door exercising of prisoners is constantly urged, and in many cases, particularly where jail yards are provided, this is granted. Separate quarters are reserved for females, likewise for the convicted and unconvicted. Greater frequency of grand jury sessions is sought, and the co-operation of county judges to this end has been obtained on several occasions. Padded cells are provided for violent prisoners, and the retention of insane persons is not permitted. Civil prisoners are now confined separately, also minors and adults. Children are not sent to the jails or transported in the company of adult prisoners.

The old type of stone-vault cell, with its dark, unventilated and usually damp interior, has given way to the large, better ventilated and lighted steel cell, equipped with modern toilet and washing accommodations. The obnoxious bucket system, while much in evidence in our state prisons and penitentiaries, is a rarity in the jails. In most jails a single iron-frame bed, attached to the side wall by hinges and chains, is provided. These are usually equipped with suitable mattresses, blankets, sheets and pillow-cases. In some jails the cell equipment is further added to by a small-sized cabinet and a stool. The feeding of prisoners in cells, a practice productive of dirt and vermin, has been reduced by providing a common mess hall, usually in the basement. Aluminum cooking and eating utensils are taking the place of tin and crockery. Separate eating utensils are urged for prisoners having communicable diseases. A commendable change is

the addition in some jails of receiving quarters, usually in the basement, equipped with shower bath or tubs, a fumigating apparatus for clothing, and a clothes closet. After a thorough cleaning, a prisoner is supplied with a non-stripe uniform and assigned to a cell in the jail proper. Through the interest and efforts of the Jail Library Committee, a group working in co-operation with the Prison Association of New York, libraries varying from 25 to 50 books were installed in every county jail in the State of New York. This was not for the purpose of establishing a club-like atmosphere in the jails, but to supply some means of occupying the attention and minds of the prisoners and thereby hoping to remove them as much as possible from harmful influences. For grand jury prisoners and those awaiting trial there is always need for something of this kind, in so much as those prisoners are not permitted to work. In jails, where there is not sufficient work for prisoners, the books again can be of much help. At the beginning there was much doubt expressed as to just how the undertaking would work out, some stating that the prisoners would spend most of their time destroying the books. Some books have been destroyed, and I am sorry to report that in three or four instances entire libraries have disappeared at the expiration of a sheriff's term of office. Nevertheless, considering the number of jails and books involved the losses have been exceedingly small, and it is sincerely felt that the undertaking was well worth while. These libraries have been kept up now for nearly five years, and a move is under way to interest the local libraries in taking over the work.

During the last few years the Prison Commission has made a special point of improving the lockups throughout the state. I am confident that an examination of the reports and their records will show that the condition of lockups in this state today is far superior to those existing before special attention was given to these places.

The importance of the county jail is often too lightly estimated. It is an institution in which the convicted and unconvicted prisoner spend much time. It is now generally conceded that the rational treatment of the prisoner requires that the reformatory spirit should prevail in the county jail, practically the first institution to which the offender is brought, as well as in others. The chief obstacle to reformation in the county jails is the lack of employment and educational advantages. Particularly during the last two years, great strides have been made toward the employment of prisoners on farms. Working on the theory that idleness leads to physical, moral and mental deterioration, the Prison Association has campaigned persistently for the daily employment of able-bodied prisoners, for their own good and

to reduce the cost of maintenance to the county taxpayers. Many of the jails no longer serve as a "soft berth" for the repeater. The supervisors, in counties that for many years were supporting their prisoners entirely from the taxes, are now enthusiastic as they see the jail prisoners toiling as they should on farms or highways.

The following are a few indications of a change in the handling of sentenced prisoners:

The Board of Supervisors of Essex County has purchased a 250-acre farm, the largest jail farm in the state. About 87 acres can be used for farming, the remainder being available for timber and quarrying. The farm is about two miles from the jail. The prisoners go to and from the jail each day. The value of the products obtained from the farm have contributed considerably in reducing the cost of maintenance. Niagara County employs its prisoners on the city stone-crushing plant, and also on the highways. Franklin County has purchased a 30-acre farm and also employs its prisoners on the highway. Erie County employs its prisoners on a large farm and also on the highways. Those working on roads are paid ten cents a day for their labor. Broome County employs its prisoners on the county poorhouse farm. Monroe, Onondaga and Westchester counties maintain farms in connection with their penitentiaries, their county jails being used mainly for the detention of prisoners awaiting trial or the action of the grand jury. Oswego, St. Lawrence, Franklin, Madison, Nassau, Jefferson, Oneida and other counties also employ prisoners on farms.

The county authorities, through persistent urging, have now come to realize some of the needs and are enthusiastically endeavoring to reduce to a minimum the idleness among sentenced prisoners.

Without any personal desire to justify inspection, except for what I have shown and feel it to be worth, I believe its continuance should be encouraged. Many of the changes which have come about in the prisons, jails and reformatories would not have occurred if it were not for the fact that inspectors from time to time have visited the institutions and urged improvements, pointing out that such and such a thing had been done at another institution and could be done again.

It should be borne in mind that few administrators have had the opportunity to visit numerous other institutions. It is not uncommon to find sheriffs, wardens and superintendents who know only their own and have followed the same methods and systems year after year, feeling that they have the right and only procedure. The willing-to-try spirit on the part of administrators should be more generally developed.