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THE STATES USE SYSTEM¹

HUGH FRAYNE²

The great problem of what to do with and how to deal fairly with the prisoners in the various institutions of our country has been a subject that has attracted within the past few years the attention of many people who believe that there is a solution. I believe personally that we not only can solve this great social problem so that it will be a great benefit to those in the institutions of the country, but that it will be one of the greatest assets to the nation in reclaiming to society those who have been neglected, forgotten, and not considered as being of any importance whatever.

There are many who differ as to how to go about to solve that problem. We have had in our trade union movements quite a difference of opinion and it is only within the past few years that we have been able to convince the working people as well as the employers, the manufacturers, and others that it would be a great benefit rather than a danger for them to deal with this question in a broad, humane manner. The danger of having prisoners trained and working in well-equipped shops in connection with the prisons and penal institutions did not appeal to either the worker or the manufacturer until we convinced them that to produce articles for state use was a sound principle and that the untrained man in the institution was more dangerous when coming out into society than the man who was kindly treated and carefully trained. He would not only be able to earn his own living while in prison but be able to provide for those dependent on him at home, who after all are the greatest sufferers, and he could take his place in society when he got out of prison and be a better citizen than before he went in. We have got to the point where we are convinced that this is possible. We have convinced many others, and have in a considerable way been able to get that work going.

What we want to do, however, is to establish through legislation in every state in this country, the idea of the State Use System. That is, that the states will equip proper shops with the right kind of machinery and place in charge men who are capable of training and imparting knowledge to those under their charge. The production

¹Address before the annual meeting of the National Committee on Prisons and Prison Labor at Columbia University, N. Y., April 11, 1921.

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coming from these shops will be sold and used in the institutions of the state and not sold in competition with free labor, thereby removing any objection on the part of either the free worker or the manufacturer who heretofore objected upon that ground.

After this is done we want to create the idea of the states' use. For example, in the State of New York, after we have established well-equipped shops in connection with the prisons, as we hope to in the near future, if the production is more than can be consumed and used by the various institutions within the state, the over-supply of commodities can be sold to other states to be used in their institutions. Many of them at the present time are producing little or nothing and it may be a long time before they are far enough advanced to produce nearly as much as we are producing in the State of New York.

With the State Use System accepted as a principle, the idea of training the prisoners under a system of industrial and vocational training is in order that the prisoners will be able to produce not a maximum of quantity but a maximum of quality of commodities. In Sing Sing I have seen instances of men making shoes and refusing to wear them themselves, but they would give money to their friends who came to visit them, to buy shoes for them on the outside. Now surely, if the material that they are producing is not good enough for them to wear even as prisoners, it cannot be of much value to some of the other institutions. We want to produce the very highest quality, partly for the benefit of the prisoner, because he is entitled to consideration. Constantly wearing poor and ill-fitting shoes is liable to destroy the prisoner's feet and to impair his physical being generally. Yet when he comes out we want him to be physically fit.

The advantage of these ideas is this: Men go into these institutions and the great problem that we have had for twenty years or more is to find some way of keeping them occupied, some way of keeping their minds on their work, so that there would not be time for them to brood and to associate with each other and harbor bitterness in their minds and in their hearts, which makes them even worse when they return to society than when they left it. The one great thought behind those who are sent to these institutions is what will become of the wives and children, the mothers and fathers who are dependent upon them. The moment it can be established that they are going to be given employment and that those who are capable of accepting training in a mechanical way will obtain it at the prevailing rate of wages, less the amount necessary for their entire keep, the

balance to go to their families, we will find that these men, instead of being a danger and a menace and most of all a great cost upon the nation for their maintenance, will earn a livelihood and support themselves upon a higher standard than before they entered the prison. If there are no dependents, then the balance will be placed in the bank or in the care of the warden, subject to his order when he is discharged. He will then go out equipped and fortified with a trade if he had none, or if he had one when he went into the institution he may continue to follow that, as he was not permitted to forget any of his skill as a tradesman, was kept hardened and developed and immune from many of the diseases that attack prisoners because of run-down conditions. His dependents will also be cheered with the knowledge that the member of the family who is in the institution is being properly cared for and is even able to earn sufficient to maintain himself and his family, thereby preventing the possibility of his becoming a public charge.

There are many who are not subject to industrial training. There are many who have reached the stage in life where it would be impossible to implant sufficient industrial training to fit them to do any real work. We provide for that by using them in connection with the state road construction and many other kinds of work in out of the way places where it is not possible to obtain, in emergencies, men to do work that is needed. For instance, the farmers in the far west. These men may be taken out and used in emergencies to save the wheat and other crops, and paid for it with allowance for their keep deducted. All of these things are sane, sensible and humane and must appeal to our people when once they get that idea fairly instilled in their minds and hearts.

We must get away from the idea that the moment someone is sent to prison and the gates are closed after him, that all hope is lost and no one cares what will become of him or those he has left behind. That was the old idea in dealing with those who have committed any breach or violation of the law, but we are changing our opinions upon this question just the same as we have changed them on other great questions—by evolution, by education and understanding—and have begun to realize that we were only treating the subject in a kindergarten way. It is growing and this organization, the National Committee on Prisons and Prison Labor, has established itself everywhere throughout the whole United States. It has gone farther in its direct contact with the representatives of the prison movement in

Canada, and the time is very close when we will have an international movement whereby we can establish a uniform standard of dealing with this problem and solve it as nearly as it is possible to do.

We are not and do not want to be accused of being faddists on this question. We do not want to assume that we are going to interfere with courts in dealing with those who have violated the law. We are not going to presume to say that crime will not be committed, and since there is nothing that will prevent the commission of crime we believe we ought to have a comprehensive plan and remedy to deal with it and not turn our back on a man because he has violated the law and gone to prison. We cannot do much, of course, to prevent the commission of crime. As industrial conditions improve they will take care of that in a large degree and I shall not discuss it at this time. We are going to deal with the question of those who go to the institutions. We want to help the states by giving them the benefit of the thoughts and carefully worked out ideas of the men and women who have made a life study of this problem, and point out the question: "Is it better that we deal with the problem sanely and make those who are in the prison capable of earning their own livelihood, thereby becoming an asset to the institution instead of an expense upon the state and the taxpayer, or is it best to permit them to remain unemployed, an expense to the state, with the thought that there is no hope and that when they leave there they do so with the determination to commit crime and more crime because society, in their opinion, has not dealt fairly with them?"

I believe that some day we will abolish the idea of having great big expensive prisons with massive stone walls surrounding them, with great bars of all kinds on the windows and everywhere in order to announce to the world that "this is a prison." The time will come when there will be less crime because there will be more and more humanity in the world and there will be a greater respect for the human element. When the American people once understand and say that much of the things that cause crime must cease to be, there will be less crime and fewer criminals and we will deal with those we do have in a manner that will not destroy, but we will build and rebuild that structure, remake and reclaim the human being and all that is good in him, bring him back into society a better man than he was before he committed the crime.

You read a few days ago about the wonderful surgical operation, performed by a doctor who himself was an invalid, upon a man who

had criminal ideas and had taken another's life, and by that operation was cured. People do not want to commit crimes. There are very, very few criminals who want to be criminals; there are causes for it, and some day we are going to have places of detention, big enclosures which the men will not be permitted to leave and they will work. Every foot of ground in connection with these institutions must be put under cultivation and worked by these men. Let them raise enough to feed not only themselves but help to feed others in other institutions, and sell that over-supply in order to help maintain the institution. It will not take any rights away from the free man. The statement has been made and I have had it told to me time and again, "You are going to give more consideration to the criminal than you are to the free man." I would not want to be charged with that. Yet, after all, is it not those who cannot take care of themselves that need some one else to help them and put them right, rather than those who are right and do not need any help? We must help those people in every way we can.

During the war one of the activities I had under my charge in connection with the War Industries Board was the development of a waste reclamation section, the reclamation of the waste materials of the country. We had been in the war for just a short period when I saw that the raw materials of the country were not sufficient or could not be gotten out of the ground in quantities fast enough to make the necessary things to carry on the war if kept up for any length of time. I figured that the reclaimable materials that were going to waste would help in this work and with the assistance of Doctor Whitin and others, we developed the waste reclamation system which was finally taken over by the Department of Commerce after the war.

I am going to give you a few startling figures upon this question of waste reclamation. The plan I have in mind is that some day the City of New York will have a national waste reclamation plan and what I say about the City of New York applies equally to every other city within the state and to every other state and city in that state. It costs hundreds of thousands of dollars every year to handle the waste materials in the City of New York. I do not have the exact figures. My idea is that some day the City of New York and every other city will handle that question itself and this material will be sent to the nearby institutions, Blackwell's Island and other places. Be it paper or rags, metals, bones or other materials, it will be sorted, bailed and sold by the city to the regular dealers and the money

accruing therefrom will go to pay the wages of those men and women who are in these institutions. It will bring back into use much that ordinarily is a dead loss.

What we were able to do and what we did during the war can always be done by a city in co-operation with the public who will save their waste. On certain days of the week wagons will come around and collect the waste, and the people will be paid for the material at a price based upon the market price. This money would go a long way toward buying lots of things for the children who save the magazines, the newspapers, the rags and metals. It would amount to much in large families and in great apartment houses would amount to a large sum. The idea of reclaiming waste material is that it will give employment to those in penal institutions who will sort it out, bale and ship it, the city making the money.

Figures obtained from the Waste Trade Journal for the year 1918 are very illuminating. The total amount of waste paper and cotton rags reclaimed amounted to two hundred million dollars, and the total value of all the waste materials reclaimed amounted to one billion, five hundred million dollars. This amount can still be increased by three hundred million dollars.

From January 1, 1918 to October 31, 1918, the following number of articles were reclaimed and returned to service:

Blankets	1,892,088
Cotton breeches	1,168,036
Woolen breeches	1,089,455
Cotton coats	595,965
Denim coats	237,154
Wool coats	432,167
Suits of cotton underwear.....	596,552
Felt hats	696,825
Foot leggins	421,275
Overcoats	889,835
Flannel shirts	1,062,336
Cotton stockings	266,322
Wool stockings	403,097
Sweaters	51,901
Denim trousers	262,238

Cotton undershirts	576,736
Wool undershirts	1,099,815
Shoes	2,779,342
Miscellaneous articles	2,456,102

This makes a total of 17,789,592 articles reclaimed that up to that time had gone into the waste and did not mean anything. I might say that in June, 1918, there were approximately 17,000 soldiers overseas who were equipped from their shoes to their hats from materials that formerly had been thrown away. Besides being a great saving, it equipped them when our other machinery was not ready to make these uniforms and other things for them. This waste reclamation can be done through the state prisons and penal institutions.

This is no experiment, it has been tried. In the State of New Jersey they repaired many thousand pairs of shoes and paid the men for doing the work—gave them checks which can be shown, as they are in the records of the national committee.

I do not want to take this work away from the free man, but since there is not sufficient employment for men while they are in prison they can do this kind of work that we are developing as a nation-wide movement. They can be employed in waste reclamation, receive pay for their work and serve the state and re-make materials that are of great value to the nation and which should not be wasted.

The great forests of this state with nearly two million acres should be preserved. States nurseries could be developed and trees raised by those in the penal institutions. Those trees could be used for the reforestation of lands that have been practically cleared.

Those in prison could assist in emergencies of all kinds and help not only themselves and their families, but give valuable service even while they are under the ban of the law. That, to me, seems to be the sane method and I am not afraid as a representative of labor to advocate this principle. The States' Use System is in effect here. There are some states that have no such laws and still permit the vicious contract system which they are pleased to term the convict system. You have been startled by reading in the papers within the past few days of what happened in Georgia. They were colored men let out to farmers for use under a peonage system which was virtually the old slavery system, which question the North and South had settled. It was the old slavery system even in a more vicious form than it had been before, because it was proved that at least eleven

lives were destroyed. I am not going to try to defend anyone who violated the law, neither am I going to criticize the judge who passed sentence, but I do claim that once the court has passed sentence it has no right to take charge of the human element and send it into slavery, or to destroy life such as happened in this case. We want to get away from that idea. If the world is going to be a better place and we are all hoping that it will be as time goes on, we must solve our problems in a sane and sensible manner.

I am not afraid of what will happen; I am not even afraid of the criticisms of those who say that we carry our fads and fancies too far. Yesterday I got a job for a young man who came out of Sing Sing and he told me that all he received was a suit of clothes and ten dollars. Well, that is better than nothing, but how much better if he could have had work and received the regular pay for his work. He was a fine, clean-cut young chap who got on the wrong track, as anyone is liable to do. He went to work this morning and I am willing to make a small bet that he will go right. The records of the courts show that the only time they go wrong is when society turns its back on them after they have done wrong and paid their price. We still say they are convicts and that they have a prison record, and all that sort of thing that takes the heart out of them and starts them on the same old course, in a worse, more determined manner than before.

I know that you men and women are interested in this subject and you can do much to help the work along. Aid the national committee and encourage it. Whenever the question comes up in regard to dealing with the prison labor problem, advance your views in defense of the new idea that is going to not only help the prisoner but reclaim him, giving him a new start and a new chance to make good, to help himself and to help those who are dependent upon him.

As I said before, I am not afraid of any great hardship that will be worked upon free labor or upon the manufacturer or society. I am willing to meet these problems as they come and find each day some method to deal with them that is sane, sensible and sound. There are many, many thousands unemployed in the prisons of our country who could be employed while there and after they come out could still be employed. They can be placed back in their homes and in society and be a most valuable asset to the nation, instead of being a liability as they are today, because we, not they, have not yet realized that it is a national social problem that cannot be solved by turning our

backs to it, by remaining indifferent to or scoffing at it. The only way to solve it is to have in mind that this is a humane problem, dealing with the reclamation and the rehabilitation of human beings, and that we are going to do our best in a service for God and for country, which every good American citizen should do.