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## Digest of Laws Establishing Reformatories for Women in the United States

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# A DIGEST OF LAWS ESTABLISHING REFORMATORIES FOR WOMEN IN THE UNITED STATES<sup>1</sup>

HELEN WORTHINGTON ROGERS.<sup>2</sup>

## INTRODUCTION.

If a homogeneous group of legislative enactments, considered together with their chronological and geographical distribution, may be interpreted as a barometer of social pressure, there is a widespread and steadily increasing demand for legislation establishing women's reformatories in the United States.

Until 1869, statutory provisions for the custodial care of women convicted of violations of the law were limited to the state prisons in cases of felony and to the jails or houses of correction in cases of misdemeanor. In that year, Indiana established a separate prison, managed and officered by women, to which all women prisoners confined in the state prison were transferred (1873). Although this institution was a reformatory-prison rather than a reformatory in the more recent understanding of the word, the principle that the problem of the delinquent woman is to be differentiated from that of the delinquent man, had for the first time been incorporated into the written laws of the nation. In 1874, Massachusetts enacted similar legislation. New York followed in 1881, 1890 and 1892, and Ohio in 1900, after which there was no further legislation of this type until 1910.

During this period of forty-one years, however, certain other parallel legislation had been taking place. In 1877 New York passed the progressive law which created the Elmira Reformatory. With this there began a series of similar enactments establishing not only correctional institutions for young men in other states, but industrial schools for boys, and, later, industrial schools for girls, until by 1915 all but twelve states had provided by statute for the custodial care and education of delinquent girls. This movement doubtless accelerated the demand for an institution intermediate between those industrial schools on the one hand and the state prisons and the jails on the other, and is one of the causes behind the fact that in the five year period from 1910 to 1915, six states—two more than during the forty-

<sup>1</sup>A digest of these laws, topically arranged, will be found at the end of this article.

<sup>2</sup>For the Committee on Delinquent Women of the Connecticut Prison Association.

one preceeding—established reformatories for women; New Jersey in 1910, Ohio in 1911, Pennsylvania and Wisconsin in 1913 and Maine and Minnesota in 1915. If to these ten are added three others—Alabama, Nebraska and Oregon—whose institutions do not conform to the definition used in the present study—and six more—Arizona, Arkansas, Connecticut, Michigan, North Carolina and Rhode Island—in which efforts for legislation are being made, the statement that the demand for women's reformatory legislation is gaining a widespread impetus, becomes self-evident.

But with the popular demand for legislation and the increasing number of statutes enacted arises the danger that the bills introduced will be either hasty modifications of local laws passed for other purposes or thoughtless imitations of the acts of other states, neither of which may meet the needs of the community in which the legislation is proposed. Each successive act, on the other hand, is potentially a contribution to the movement as a whole, since by incorporating the best provisions of preceding statutes with new features demanded by advancing public opinion it represents the highest standard yet reached.

But without a compilation of these laws for convenient reference the drafting of such a bill becomes arduous if not prohibitive. Such a compilation, however, was not available when the Committee on Delinquent Women, appointed by the Connecticut Prison Association to prepare a bill providing for the establishment of a reformatory for women in the state of Connecticut, began its task in the autumn of 1916. It became necessary, therefore, to ascertain at first hand not only which of the United States had created such institutions and by what acts of legislation, but to separate, condense and classify their provisions for the purposes of comparison and discussion. These statutes, thus collected and classified by a sub-committee, were then presented to the committee-at-large. This committee of eighteen women, representative of the entire state, selected by parliamentary vote, those provisions which seemed best fitted to the conditions of their various communities for incorporation into the bill subsequently drafted and introduced into the legislature in January, 1917.<sup>3</sup> In the faith that it may be of service to other groups, in the thirty-seven states still without adequate provision for the custodial care and education of their delinquent women, this digest of all the laws (January,

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<sup>3</sup>This bill, with only minor alterations, was passed by both houses and signed by the governor, May, 1917.

1917),<sup>4</sup> establishing women's reformatories in the United States, is presented.

#### THE DATA.

To the questionnaire sent out to the attorney-generals of the forty-eight states of the union in order to ascertain (1) if the state had established an institution for delinquent women, and (2) if so, by what form of legislation, thirteen responded in the affirmative and thirteen sets of statutes were presented for consideration. As considerable variation was at once evident, a clear-cut definition became imperative. A reformatory for women, in view of Connecticut's needs, was defined as an institution established, maintained and controlled by the state to which delinquent women over the age of admission to the industrial school for girls may be committed by the courts having jurisdiction of their offenses, for the purpose of custodial care and reformation. Because of these limitations, i. e., state establishment, support and control; a minimum age of 16-18 years and court rather than voluntary commitment, three of the thirteen state laws were eliminated—Alabama and Oregon, because of the low age limits, and Nebraska, because of its voluntary commitment clause. The states whose statutes were finally selected for study were ten. They are, in the order of the dates of their legislation, with the names of the institutions established, as follows:

Indiana, 1869—Indiana Woman's Prison.

Massachusetts, 1874—Reformatory for Women.

New York, 1881—House of Refuge for Women (Hudson), now the New York State Training School for Girls; 1890—Western House of Refuge for Women (Albion); 1892—New York State Reformatory for Women (Bedford).

Iowa, 1900—Iowa Industrial Reformatory for Females.

New Jersey, 1910—New Jersey State Reformatory for Women.

Ohio, 1911—Ohio Reformatory for Women.

Pennsylvania, 1913—State Industrial Home for Women.

Wisconsin, 1913—Wisconsin Industrial Home for Women.

Maine, 1915—State Reformatory for Women.

Minnesota, 1915—State Reformatory for Women.

In spite of the fact that this legislation extends over a period of forty-six years, in states widely separated, with provisions differing in sequence and in type, the statutes show so close a similarity in gen-

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<sup>4</sup>Since this date, Connecticut, Kansas, Michigan and Rhode Island have created state reformatories for delinquent women; North Carolina has established county and city industrial homes for fallen women.

eral structure that they may be said to have reached a standardized form. These provisions fall into six general divisions, relating to: I. Establishment or Enactment, II. Administrative Powers, III. Commitments, IV. Description of Institution, V. Release from Institution—Parole, Pardon and Discharge, and VI. Appropriations.

#### I. ESTABLISHMENT.

The terminology of the enacting clauses follows the usages of the several states, but the names of the institutions established are silent testimony to the growth of public opinion away from the demand for a prison for punishment to that for a home providing shelter and industrial training in preparation for self-supporting reinstatement in community life, with a name which shall carry as little stigma as possible—Prison, Reformatory, Industrial Home.

#### II. ADMINISTRATIVE POWERS.

The administrative powers of the reformatories are distributed by the statutes among three departments: A. Chief administrative powers; B. Superintendent, and C. Subordinates—officers and employees.

##### *A. Chief Administrative Power.*

The chief administrative power is vested in one of two general types of control, either in (1) Boards of Control or (2) Special Boards. As the Boards of Control have, in general, supervision of the reformatory, penal and charitable institutions of the states in which they have been created, any new correctional institution passes automatically under their jurisdiction. In spite of certain variations in the statutes, four of the ten states fall into this group—Iowa, Massachusetts, Minnesota and Wisconsin. Special, or individual, boards are created *de novo* and for the management of the one reformatory. Within this type, however, there are two variations, (a) the single board and (b) the double board. The single boards are intrusted not only with the selection of the site, the purchase of the grounds, the building and equipment of the institution, but with its subsequent management. Indiana and Maine alone belong to this group. The double boards share these duties, one—either a state department already created or appointed temporarily for the purpose—being empowered to prepare the reformatory for occupancy; the second, assuming control after its completion. Four states—New Jersey, New York, Ohio, and Pennsylvania—have such double boards, but all six provide the special individual board for the final management of the institution. The single boards are intrusted not only with the selection of the site, the purchase of the grounds, the building and equipment of the

institution, but with its subsequent management. Indiana and Maine belong to this group. The double boards share these duties, one—either a state department already created or appointed temporarily for the purpose—being empowered to prepare the reformatory for occupancy; the second, assuming control after its completion. Four states—New Jersey, New York, Ohio, and Pennsylvania—have such double boards, but all six provide the special individual board for the final management of the institution.

1. *Titles.*—The legal titles of these administrative boards are determined by state usage; "Board of Managers," however, has a majority of one over other titles used.

2. *Number.*—The number of members on the boards of control are small—one, three and five. The numbers on the special boards show wider range—from four to nine.

3. *Sex.*—The majority of the states legislate in favor of boards composed of both men and women in preference to those made up wholly of men or of women only. The proportion of women members ranges from one in five to three in nine. Indiana alone has an all-women board and only Ohio specifies that all shall be men.

4. *Appointment and Removal.*—Original appointments to these boards are made by the governors either with or without the consent of the senate or council. Indiana and Pennsylvania belong to the latter group, the remaining eight states make the advice or consent, or both, of the senate or council obligatory. Certain limitations, however, are imposed; e. g., that the appointees shall be residents of the state, that not more than a given number shall be of one political party or from one congressional district, or selected on a non-partisan basis. Indiana and Ohio specially provide that the members shall possess fitness for the position. Appointments to fill unexpired terms follow the rule of the original appointment with few exceptions. Of the seven statutes providing for the removal of members, four vest the power in the governor, but with the consent of the senate, and four specify that such removals shall be "for cause."

5. *Terms of Office.*—The terms of office range from three to nine years, depending, apparently, on the number of members on the board.

6. *Arrangement of Terms.*—Of the six statutes providing for this detail, five favor an annual change of one to three members and only one a biennial change.

7. *Organization.*—Two states omit any mention of the organization of the board. Of the remaining eight, seven give the members the

right to choose their officers from among themselves. Wisconsin alone gives the governor the right to appoint the chairman.

8. *Compensation*.—All of the state boards of control receive compensation for their members, ranging from six thousand to three thousand dollars per annum. Of the six special boards, three are unpaid and three paid, although two of the latter receive only nominal sums. All members receive necessary traveling expenses.

9. *Powers and Duties*.—Without exception, the statutes establishing reformatories for women specify in more or less detail the powers and duties of their boards of administration. These powers and duties, taken together regardless of source, fall under several heads—duties of a preliminary nature, powers relating to the property and fiscal concerns of the institution, powers relating to its general management and miscellaneous duties. The first section includes the duty to give bond and take the oath of office; the second, the power to select and acquire the site, by gift or purchase, to obtain options on adjoining property, have right of eminent domain, adopt plans, appoint superintendent of construction, let contracts (all over five hundred dollars to be advertised and awarded after competitive bidding and no member of the board to have financial interest in them), and to erect and equip the buildings. The third group is concerned with the general management of the institution after the reception of inmates. These include the following: have legal custody and control of the property, inmates and fiscal concerns; have general management of the grounds, buildings, officers and inmates; make rules and regulations for the care, support, discipline, education and employment of the inmates; provide a credit system for the inmates; give the inmates opportunity to converse privately with members of the board at least monthly; appoint and remove superintendent; fix the number, duties and salaries of subordinate officers and act as board of parole and discharge when not otherwise provided by law. The miscellaneous duties are to hold regular meetings, keep records, prepare estimates, make recommendations and annual or bi-ennial reports to the governor.

*B. Superintendent.*

1. *Appointment and Removal*.—All of the statutes provide that the superintendent shall be appointed by the chief administrative power. The method of removal, when specified in the law at all, is by the same agency. Three states insist that this removal shall be "for cause." The two states which also give the governor power to remove the superintendent, also specify that it shall be "for cause."

2. *Sex.*—The statutes, with one exception, specify that the superintendent of the women's reformatory shall be a woman. Massachusetts alone permits an executive of either sex.

3. *Powers and Duties.*—The preliminary duties of the superintendent are to give bond and to reside at the institution. Her duties in relation to the reformatory itself, as described by the statutes, are practically identical with those assigned to the administrative board because, as its legal agent, she becomes responsible for carrying out these provisions. A few of the laws specify in detail several miscellaneous obligations—to keep records of inmates, keep accounts, provide estimates of expenses, receive and disburse monies appropriated, sell products of institution, purchase supplies, render quarterly inventory of supply and make monthly reports.

### *C. Subordinate Officers and Employees.*

1. *Appointment and Removal.*—In the appointment and removal of subordinates, the superintendents are given either (a) absolute freedom, or do so (b) subject to the approval of the governing board. Four of the statutes require the latter and six, apparently, give the superintendent a free hand with the exception of the steward in one state and the clerk in another. In two states the candidates must be examined for fitness before appointment. In another, the removal of subordinates for political activity is obligatory.

2. *Sex.*—Six of the state statutes specify the sex of subordinates. Of these six, four provide that all shall be women, one that those coming in contact with the inmates shall be women, and one women as far as practicable.

3. *Number and Titles.*—The number and titles of subordinates are determined in one of three ways, (a) by the administrative board (in five states), (b) by the superintendent subject to the approval of the board (in two states), or (c) by law (in three states).

4. *Salaries.*—The salaries of subordinate officers and employees are fixed either (a) by the board (in five states) or (b) by law.

5. *Duties.*—The duties of subordinates are prescribed either by (a) the administrative board (five states) or (b) by the superintendent.

### III. COMMITMENTS.

The statutory provisions for the commitment of delinquent women to these institutions show slight differences as to the age at time of commitment, the powers of the courts having jurisdiction, the classes of offenders to be committed and the types of sentences to be given.



*A. Age.*

Five of the ten states fix a minimum age for commitment, but no maximum; one, "none under nine"; two, "over sixteen," and two, "over eighteen" years. Four, fix both a minimum and a maximum; one, seventeen to thirty, and three, sixteen to thirty. One statute alone, that of Massachusetts, fixes neither a maximum nor a minimum age limit.

*B. Courts Having Jurisdiction.*

The courts of jurisdiction differ according to the offenses for which women may be committed and are variously described in the statutes. In general terms, courts having jurisdiction over the offense are the courts of jurisdiction.

*C. Powers of the Courts of Jurisdiction.*

The powers granted to these courts by statute are of three kinds: (1) permissive powers, under which it is optional with the judge whether women convicted of violations of the law shall be sentenced to the reformatory or to other correctional institutions; (2) obligatory powers, under which convicted women can be sent only to the reformatory; (3) permissive and obligatory powers which give the court permissive powers in cases of certain offenses and in others allow it to act only within definite limits. Six states belong to the first group, two to the second and two to the third.

*D. Classes to Be Committed.*

Delinquent women, for the purpose of this study, are divided into two classes: Class A, made up of those convicted of felonies or of crimes punishable by imprisonment in the state prisons, and Class B, made up of those convicted of misdemeanors and punishable by imprisonment in the jails or other correctional institutions. All of the statutes under consideration provide for the commitment of women of both classes. Of these ten, only three place any restrictions on those belonging to Class A. New York accepts only those who have not served a previous term in state prison; Ohio bars out women convicted of murder in the first degree without recommendation of mercy and Wisconsin excludes women convicted of murder in the first, second, and third degree. Of the ten states providing for the admission of misdemeanants, four make restrictions. New York excludes those insane, or mentally or physically incapable of being benefitted by the institution; Indiana and Ohio, those serving less than a thirty-day sentence, and Wisconsin, all given short sentences less than one year. Five of the ten statutes specify the misdemeanors for which women may be committed; New York, petty larceny, vagrancy, habitual drunk-

enness, common prostitution, frequenting disorderly houses, or houses of prostitution, or any other misdemeanor; Massachusetts, drunkenness, simple assault, night walking, fornication, idle and disorderly conduct, keeping a disorderly house, lewdness, stubbornness, vagrancy and unlawful taking; Minnesota, petty larceny, vagrancy, habitual drunkenness, common prostitution, frequenting disorderly houses or houses of prostitution; Pennsylvania, includes street walking, and Wisconsin, vagrants, habitual drunkards, common prostitutes, drug-users or any misdemeanants.

#### *E. Sentences.*

Two types of sentences appear in the laws establishing reformatories for women in the United States—the determinate and the indeterminate. Although the statutes of the ten states use the term “indeterminate” in relation to the sentence of imprisonment to be imposed by the committing court, none of them in reality vests the judge with power to give a true indeterminate sentence—one with neither a minimum nor maximum of term stated. What is imposed is a term indeterminate within limits, either within a maximum or within a maximum and a minimum. Eight of the ten fix no minimum but a maximum term for women of Class B; five fix no minimum for either Class A or Class B; four fix both a maximum and a minimum, two for Class A only and two for both classes. Of the eight statutes fixing a maximum (no minimum) for Class B, two provide that the imprisonment shall be within the maximum already prescribed by law for the offense; one sets a maximum of five years; four, a maximum of three years and one state has two maxima for Class B, one of two years for misdemeanants except those guilty of drunkenness and the violation of the uniform desertion act, for which the maximum is one year. Of the five statutes providing a maximum for Class A, three accept the maximum prescribed by law for the offense and two make the limit of imprisonment five years. Of the four laws fixing both the maximum and minimum terms, the two which prescribe it for Class A only accept the limit already laid down for the offense, but differ as to the minimum; one, the legal limit and one a minimum of three years. Of the two specifying both limits for both classes of offenders, one accepts the legal maximum and minimum and one a minimum of one year and a maximum prescribed by law. Three of the states use both determinate and indeterminate sentences; Maine and Massachusetts use the determinate penalty if the punishment provided by law for the offense is for more than five years; Wisconsin leaves it optional with the court which of the two sentences shall be imposed..

*F. Records and Warrants.*

Taken together, the statutes provide for two kinds of records, (1) Records sent to the institution at time of commitment and (2) Institutional Records. All but two, specify more or less in detail the nature of both. New York requires that blanks shall be furnished by the institution for (1). The data required by the ten statutes taken together include the following: name, age, birthplace, nativity, nationality, parentage, residence, last address, occupation, education, previous life and surroundings, previous commitments, if any, and for what offense, particulars of offense committed, complete records of trial and statement of district attorney; name and address of persons who testified for and against at time of trial; names and addresses of presiding judge, district attorney and attorneys for defendant. Four states require that certain records shall be kept at the institution including records of methods of treatment employed, progress and subsequent history of inmates.

*G. Notification of Commitment.*

Four statutes provide that the courts shall give notices of commitment to the institution.

*H. Attendants.*

1. Sex.—Of the five states in which the sex of the attendants is specified, four require women, one the sheriff.

2. Source—These attendants are provided either (a) by the county or court in which the woman is sentenced (two states), or (b) by the institution (three states).

*I. Provisions for Children of Women Committed.*

Four of the ten statutes make provisions for the children of women committed to the reformatories: (1) Children under one year (Massachusetts, eighteen months) may be kept in the institution until two years of age, when they must be removed and properly cared for at the expense of the state or placed with a relative or suitable person until the release of the mother. These provisions also apply to children born after commitment. (2) Three of the laws make it obligatory on the courts to provide in similar ways for children over one year who are without proper guardianship.

*J. Transfers between Reformatories and Other Institutions.*

All of the states, with one exception, provide a system of transfer of inmates between the reformatory and other state institutions; these include the state prisons, jails, workhouses, and other penal institutions, girls' industrial schools, insane and other hospitals, state

institutions for the feeble-minded, court of original jurisdiction when improperly committed and others.

#### IV. DESCRIPTION OF INSTITUTION.

##### *A. Purpose.*

The purpose of the institution is defined more or less briefly in all of the laws except one. Custody, preservation of health, reformation of character, education for self-support and the prevention of young offenders from becoming hardened criminals are given as the purpose of the reformatory treatment.

##### *B. Acreage.*

The acreage to be provided for the institution is specified in seven states and purchased as follows: Indiana, 15.61 acres; Iowa, 218.8; Maine, not less than 200 acres; Massachusetts, one acre for cemetery; Minnesota, 165 acres; New Jersey, one acre for cemetery; New York, House of Refuge (Albion), 92.57 acres, Reformatory (Bedford), 195.5 acres; Ohio, not over 300 acres; Pennsylvania, not less than 100 nor more than 500 acres; Wisconsin, not specified.

##### *C. Description of Land.*

Four laws fail to place any limitations on the kind of land to be purchased. Two state that it shall be suitable, a third that it shall be within five miles of the state capitol, while three of the more recent statutes safeguard the purchase; Maine requires that part of the land shall be arable to the end that so far as practicable the food for the inmates may be produced on such land; Minnesota, that healthfulness of location, character and quality of the soil, drainage, water supply, convenience to railroad transportation and to the needs of the state shall be taken into consideration; Pennsylvania requires similar conditions.

##### *D. Buildings.*

Three of the more recent statutes specify that the buildings shall be constructed on the cottage system—Maine, Minnesota and Pennsylvania; Massachusetts, that they shall be of brick construction.

##### *E. Notification of Opening of Institution.*

Of the six states making provision for this detail, three specify that it shall be done by the proclamation of the governor, and three, by the managing board.

##### *F. Preliminary Examination.*

Only two statutes include any clause relating to the physical or mental examination of the delinquent women committed to the institution. Massachusetts requires the Bertillon record in cases of women

convicted of felony. Wisconsin provides that special attention shall be given to women afflicted with venereal diseases.

#### *G. Classification.*

Only three of the states fail to specify that a classification of inmates shall be made. Seven make such classification obligatory.

#### *H. Education.*

Nine of the ten laws provide specifically for the education of the inmates. Six forms of instruction are mentioned: moral, mental—including common school branches—professional, vocational—including domestic science, mechanical arts and useful trades—manual and physical.

#### *I. Employment.*

Eight of the nine states make statutory provisions for the employment of the inmates; Maine specifies that the employment shall be for the purpose of teaching useful trades; New York, that compensation may be given the inmates; Massachusetts and Pennsylvania allow no contract labor.

### V.—RELEASE FROM INSTITUTION.—PAROLE, PARDON AND DISCHARGE.

#### *A. Parole.*

1. *Power of Parole.*—The power of parole is vested in, either:

(a) Boards of Parole, exercising similar rights for other correctional institutions, or (b) the administrative board of the reformatory. Seven states belong to the latter group and three to the former. In Indiana, the superintendent, acting as chairman, with the board, the chaplain, physician and clerk, constitute the board of control. New Jersey and Ohio also require the recommendation of the superintendent, and New York permits the judge of the court, if he so requests in writing, to act temporarily as a member of the paroling board in the case of any woman committed by him.

2. *Conditions.*—Seven of the statutes specify one or more conditions on which parole may be granted. Of these, four lay stress on the institutional record; three, on the reasonable probability that the inmate will be law-abiding; two, that suitable employment shall have been secured in advance; one, that money and clothing shall be provided, if necessary.

3. *Agents.*—Only four of the ten states provide in this group of statutes for parole agents.

4. *Violation of Parole.*—Eight of the laws specify penalties for the violation of parole, and all of them agree in making return to the reformatory the penalty. Six states provide that the unexpired term shall be served after return; three date this term from the time

of the revocation of parole, two from the time of release on parole and one state adds a two-year penalty to the return.

5. *Returning Agency.*—Seven statutes provide that returns may be made on warrants issued by the administrative board, and two that officers of the reformatory may arrest without warrants.

#### *B. Pardon.*

Five states recognize in the statutes under consideration the pardoning power of the governor in connection with the release of women from the reformatories; two give him unqualified freedom; two vest the power in the governor on recommendation of the board of control and one in the governor with the consent of his council.

#### *C. Discharge.*

Six states provide for discharge from the jurisdiction of the reformatory prior to the expiration of the legal term. Two require as a condition of discharge, acceptable service of one year on parole, another, a satisfactory parole record, the recommendation of the superintendent and vote of the board; New York, the vote of the board, and Pennsylvania, the recommendation of the superintendent and physician, endorsed by the board of managers and approved by the judge of the committing court after conference with the district attorney.

#### VI. ORIGINAL APPROPRIATIONS.

The original appropriations provided by law for the establishment of these ten reformatories show a wide range as follows: Iowa, \$2,500 (for refitting old building); Maine, \$20,000 (1915), \$30,000 (1916); Minnesota, \$30,000; Wisconsin, \$35,000; Indiana, \$50,000; New York, \$130,000 (Albion), and \$100,000 (Bedford); Ohio, \$100,000; Pennsylvania, \$250,000; Massachusetts, \$300,000; New Jersey, \$20,000 (for land), and Wisconsin, \$35,000 (1913), \$25,000 (1924), \$100,000 (1914), \$65,000 (1915).

#### SUMMARY.

To summarize, the frame-work of a bill for establishing a state reformatory for delinquent women, if based upon the digest of all the laws so far (January, 1917) enacted in the United States, would incorporate the following general structure and provisions.

General Structure: I. Establishment. II. Administrative Powers. III. Commitments. IV. Description of Institution. V. Release from Institutions. V. Appropriations.

##### I. Establishment.

Enactment clause—follows state usages.

Name—short, concise and carrying as little stigma as possible; "Reformatory" giving way to "Industrial Home."

## II. Administrative Powers.

A. Chief administrative power—Boards of Control or state departments already created to be used when possible; otherwise, a single board for the establishment and control of the new institution.

1. Title—Determined by state precedent.
2. Number—Boards of Control, 1-5; individual boards, 4-9 (slight preference shown for 5).
3. Sex—Both men and women; at least 1/3 to be women.
4. Appointment and removal—  
Original appointment—By governor, with or without consent of senate, for fitness, on non-partisan basis and within 30-60 days.  
Appointment to vacancies—By governor, for unfinished term.  
Removal—By governor, "for cause," with or without consent of senate.
5. Terms—3-9 years.
6. Arrangement of terms—So that changes of as few members as possible shall occur annually rather than biennially.
7. Organization—Self organizing, appointing their officers from among themselves.
8. Compensation—Boards of Control paid; individual boards, unpaid or receiving only nominal salary; and expenses necessarily incurred in performance of duty.
9. Powers and Duties—Select site; acquire land, by gift or purchase; prepare plans; let contracts, all over \$500 to be advertised and no member of the board to have a financial interest in them; build and equip; have custody of property and inmates; appoint superintendent; fix titles, number, and salaries of subordinates (including deputy superintendent, resident woman physician, clerk and steward) unless otherwise specified by law; make rules and regulations for the care, support, discipline, detention, education and employment of inmates including domestic science and useful trades; provide credit system; keep records; hold regular meetings; make annual reports and recommendations to the governor; act as board of parole and discharge unless otherwise provided by law.

## B. Superintendent.

1. Appointment and removal—Appointed by board; removed by board "for cause."
2. Sex—Must be a woman.

3. Powers and duties—Give bond; reside at institution; subject to the board make rules and regulations for the internal administration of the institution; determine number, select (after examination for fitness), assign duties, appoint, and remove subordinates; keep records; prepare estimates and make reports.

C. Subordinates.

1. Appointment and removal—By superintendent subject to approval of board.
2. Sex—Women, as far as practicable.
3. Number and titles—Determined by superintendent and board, or by law.
4. Salaries—Fixed by the board or by law.
5. Duties—Determined by superintendent with approval of board.

III. Commitments.

- A. Age—Over that of admission to girls' industrial schools (16-18); no maximum age limit.
- B. Courts having jurisdiction—Courts of the state or the United States having jurisdiction over the offense.
- C. Powers of the courts having jurisdiction—Permissive or obligatory.
- D. Classes to be committed—A. Women convicted of felonies;  
B. Women convicted of misdemeanors including drunkenness, drug-using, disorderly conduct and prostitution, except those of both classes incapable of being benefitted physically, mentally or morally.
- E. Sentence—Indeterminate within maximum prescribed by law for the offense; no minimum to be specified.
- F. Records and Warrants—
  1. To be sent with warrant to institution (on blanks furnished by the reformatory) name, age, birthplace, parentage, last address, occupation, education, previous life and surroundings, previous commitments, if any, and for what offense, particulars of last offense, including record of trial with names and addresses of witnesses, names and addresses of presiding judge, district attorney and attorney for the defendant.
  2. To be kept at institution—in addition to above, condition on admission, plan of treatment, regular record of development, circumstances of final release and subsequent history.
- G. Notification of commitment—Shall be made by court to the institution.
- H. Attendants—Sex, women; to be provided by institution.
- I. Provisions for children of women committed—



1. Under one year (or born after commitment)—may be admitted and retained in the institution until two years of age, when they must be removed and cared for by the board or proper agency.
2. Over one year—Must be provided for by courts if without proper care.

J. Transfers—Free system of transfers to be provided for between the reformatory and the state prisons, jails, work-houses, girls' industrial schools, insane and other hospitals, institution for feeble-minded, other institutions and back to the court of original jurisdiction when improperly committed.

#### IV. Description of Institution.

- A. Purpose—Custodial care for the preservation of the health, reformation of character, education for future self-support and prevention of young offenders from becoming hardened criminals.
- B. Acreage—Not less than two hundred acres.
- C. Description of land—Character of soil (land to be arable so that so far as practicable food for the inmates may be produced), drainage, water supply and accessibility to be taken into consideration.
- D. Buildings—On the cottage plan.
- E. Notification of opening of institution—By governor or board.
- F. Preliminary physical and mental examination—To be provided.
- G. Classification of inmates—Obligatory.
- H. Education—Religious, mental, including instruction in common school branches, professional, vocational, including domestic science and useful tasks, manual and physical to be provided.
- I. Employment—Industries to be provided for the teaching of useful trades.

#### V. Release from the Institution.

##### A. Parole—

1. Paroling power—Board of parole of institution, unless otherwise provided by law, on recommendation of superintendent.
2. Conditions—Good physical condition, reform as indicated by institutional record; reasonable probability that inmate will be law-abiding, ability to earn an honest living, suitable employment secured in advance, transportation, suitable clothing and small sum of money to be provided when necessary.
3. Parole agents—To be provided by institution.
4. Violation of parole—  
Penalty—Return to institution to serve unexpired term.

Agency—On warrants issued by board; agents of reformatory to have right of arrest without warrants.

B. Pardon—Pardoning powers of governor conserved.

C. Discharge—Satisfactory parole record, recommendation of superintendent and unanimous vote of board, the conditions.

VI. Appropriations—Sufficient to purchase site and erect administration building and pay running expense with the next session of the legislature.

This group of statutes which has been under consideration represents the women's reformatory movement in the United States from 1869-1916 in terms of actual legislation. Just how far this incorporates the demands of the penologist and the social reformer it is of value to ascertain. Accepting the printed reports of the proceedings of the National Prison Association and of the Conferences of Charities and Correction as representing progressive intelligent thought on the subject of institutional care of delinquent women, we find a steady emphasis and a fairly uniform agreement as to certain desiderata; an institution whose spirit and purpose is remedial and reconstructive rather than punitive, working for the speedy return of the offender to community life as a healthy, law-abiding and self-supporting member; non-partisan management; high grade officials; the commitment of all women now sent to jails and workhouses except those insane, feeble-minded and epileptic; an indeterminate sentence, without maximum or minimum, permitting the permanent segregation of those incapable of being benefitted by reformatory treatment; adequate social records as a basis for reformatory treatment; thorough physical and mental examination and treatment, including the Wasserman and Binet-Simon tests; classification of inmates according to types; the cottage plan; open air life; educational facilities, corresponding to those of the public school systems in common school branches and industrial training including domestic science; a system of employment planned primarily for the teaching of useful trades rather than for securing remuneration for the institution, contract labor being abolished; adequate recreational facilities; a credit system for inmates; and the parole system, parole agents to be provided during the period of conditional release.

A comparison of these demands with the provisions of the statutes analyzed show, on one side, complete or partial response, and on the other, several points still unattained. As only one of the statutes fails to define the purpose of the institution it establishes, and that pur-

pose when stated is reconstructive in character, women's reformatory legislation may be said to be uniformly based on the principle that the best protection of society is gained through the reformation rather than by the punishment of the offender. Parole as an integral part of the reformatory system is also uniformly recognized; only four of the ten laws, however, specifically provide for parole agents in connection with this institution. Before charging the majority of the statutes with failure to recognize these essentials, the fact that many states supply such agents through other forms of legislation should be taken into consideration. All of the ten states have gone on record as accepting the indeterminate sentence in theory, although in actual practice none legalizes such a sentence without a maximum limit; thus the permanent quarantine of the moral imbecile—a goal especially desired by the social reformer—is still unattained. The fact, however, that eight of the ten laws permit the indeterminate sentence without a minimum points toward future possibilities. Educational facilities for the inmates are provided by law in nine of the ten states, seven specifying more or less in detail that instruction shall include common school branches and industrial training. Eight states require some form of employment as a reformatory agency, but only one that this shall be for the purpose of teaching a useful trade, and in only one other statute is contract labor in the reformatory definitely prohibited. Eight of the ten laws require the institution to be supplied with social records, but only half of these indicate sufficient data to serve as a basis for reformatory treatment. Only two provide by statute for any form of physical examination or treatment and not one for a mental analysis, indicating that in this particular, at least, the laws are less sensitive to the demands of penology. In spite of the fact that seven states make classification of inmates obligatory, but four specify that the institution shall be built on the cottage plan and only four out of the seven specifying the acreage require a sufficient amount to secure the open air farm life so desired. Only two of the ten state laws make obligatory the commitment of delinquent women to the reformatory instead of to the jails and workhouses, so that in this particular legislation falls far short of the demand of the social reformer. An attempt to secure non-partisan management is made in several of the laws, but in only two are the standards for the officials specified. Only one institution is required to establish a credit system for the inmates and in none is there any mention of recreation as a reformatory agency. Yet in spite of the fact that women's reformatory legislation has failed to incorporate all the demands of the penologist and

of the social worker for detailed provisions for adequate physical and mental examination, the cottage plan, large acreage, the credit system, non-partisan management, recreational facilities and the compulsory commitment of all delinquent women, it has, on the whole, embodied the essential requirements of a reconstructive rather than a punitive policy; parole, classification of inmates, social records, facilities for education and employment and the principle, if not as yet the actual practice, of the indeterminate sentence. The legislation of the second period of the women's reformatory movement, i. e., from 1910 to 1915, shows so much more susceptibility to these demands than did the earlier group that there is reason to believe that the enactments of the near future will show even greater strides toward the ideal legislation.

## DIGEST OF LAWS ESTABLISHING REFORMATORIES FOR WOMEN IN THE UNITED STATES.

Prepared for the Committee on Delinquent Women of the  
Connecticut Prison Association.

By

MARION CANBY DODD AND HELEN WORTHINGTON ROGERS.  
Sub-Committee on Scope.

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1. The asterisk in the following pages indicates that the law does not specify as to the subject of the column in which the sign occurs.

2. This digest does not attempt to cover all of the provisions of all laws under consideration, but only their more essential features.

3. The year, 1881, is the date of establishment of the House of Refuge at Hudson, N. Y., which in 1904 became the N. Y. State Training School for Girls. (See p. 538).

4. Digits in parenthesis in the following tabulation are for purposes of identification; e. g., on p. 539 (Minn.) all data preceded by (1) relate to the State Board of Control.

5. "The(ir) constitutionality of these laws has never been seriously questioned, and there has been no litigation relating thereto. \* \* \* There have in a few instances been questions relating to construction of certain provisions of the act, but nothing of material interest." (From Henry F. Parmelee, Counsellor at Law, New Haven, to Mrs. Helen W. Rogers).

State.	Date Es- tablished.	Citations.	Name of Institution.
IND.	1869	Revised Statutes, 1914, Vol. IV, Chap. 124, Art. 4; R. S. 1914, Sec. 3435, 3438, etc.	Indiana Woman's Prison.
IOWA	1900	Supplement, Code of Iowa, 2713-a-n; 2713-ni-9.	Iowa Industrial Reformatory for Females.
MAINE	1915	Revised Statutes, 1916, Chap. 142, Sec. 56-71.	Reformatory for Women.
MASS.	1874	Acts 1874, Chap. 385. R. L. 1902, Chaps. 222 and 225. Acts 1911, Chap. 181. Acts 1912, Chap. 380. Acts 1913, Chap. 829. Acts 1914, Chap. 635. Gen. Acts 1916, Chap. 241.	Reformatory for Women.
MINN.	1915	Chap. 324. Laws, 1915, Chap. 324.	State Reformatory for Women.
N. J.	1910	Compiled Statutes, 1709-1910, pp. 4933-4938. Acts 1912, Chap. 87. Statutes 1913, p. 15. Acts 1915, Chap. 269.	New Jersey State Reformatory for Women.
N. Y.	1881 (a) (1) 1890 (2) 1892	State Charities Law (Chap. 57, Laws 1909, constituting Chap. 55, Consolidated Laws) §§220-223, as amended by Chaps. 149, 258, Laws 1909; Chap. 449, Laws 1910; Chap. 605, Laws 1913. Penal Law (Chap. 88, Laws 1909, constituting Chap. 16, Cons. Laws) §690, State Fin. Law (Chap. 56 Cons. Laws).	(1) Western House of Refuge for Women (at Albion). (2) New York State Reformatory for Women (at Bedford).
OHIO	1911	Acts 1911, Sec. 2148-1-11. Amended Acts, 1914-1915, pp. 130-132.	Ohio Reformatory for Women.
PENN.	1913	Acts 1913, No. 816. Acts 1915, amended and supplemented, No. 120.	State Industrial Home for Women.
WIS.	1913	Acts 1913, Ch. 723.	Wisconsin Industrial Home for Women.

## A. CHIEF ADMINISTRATIVE POWER.

State.	Name.	No.	Sex	Appointment and Removal.	Terms.
IND.	Board of Trustees	4	All women.	*	4 years
IOWA	Board of Control of State Institutions.	3	All men.	Appointed by governor with advice and consent of Senate (not more than two of same political party; no two of same congressional district). Removed by governor with consent of Senate.	6 years
MAINE	Board of Trustees.	5	At least two shall be women.	Appointed by governor with advice of Council (must be inhabitants of state). Vacancies filled in same way. Removed by governor and Council for cause.	5 years
MASS.	Director of Prisons.	1	*	Appointed by governor with advice and consent of Council. Removed in same way.	5 years
MINN.	(1) State Board of Control (established by previous legislation).	(1) 3	(1) Men.	(1) Appointed by governor with consent of Senate. Vacancies filled in same way. Removal by governor for cause (including political activity).	(1) 6 years
	(2) Board of Women Visitors (established by previous legislation).	(2) 5	(2) Women.	(2) Appointed by governor.	(2) 1 year
N. J.	(1) Board of Commissioners of the New Jersey State Reformatory for Women.	(1) 8	(1) Not less than three shall be women.	(1) Appointed by governor with advice and consent of Senate (within 30 days). Vacancies filled in the same way. Removed by governor for cause.	(1) 3 years
	(2) State House Commission (established by previous legislation).	(2) 3	(2) Men.	(2) Governor, comptroller of the treasury and the treasurer.	(2) 3 years
N. Y.	(1) Board of Managers.	7	Either sex, but at least two shall be women.	Appointed by governor with advice and consent of Senate. Vacancies filled by governor. Removed by governor for cause after hearing.	7 years
	(2) Commission on Sites, Grounds and Buildings (act abolished by previous legislation).				
OHIO	(1) Site and Building Commission.	(1) 4	(1) Men.	(1) Governor, secretary of state, auditor of State and secretary of State Board of Charities.	(1) *
	(2) Board of Administration.	(2) 4	(2) *	(2) Appointed by governor with advice and consent of Senate (not more than two of same political party; must be selected for qualifications of special study, knowledge and experience). Vacancies filled by governor. Removed by governor.	(2) 4 years
PENN.	(1) Building Commission for a State Industrial Home for Women.	(1) 5	(1) *	(1) Appointed by governor (immediately after passage of act.	(1) Temporary.
	(2) Board of Managers.	(2) 9	(2) Three shall be women.	(2) Appointed by governor.	(2) 3 years
WIS.	State Board of Control of Wisconsin (has control of all reformatory, charitable and penal institutions of the state.	5	Including one, who shall be a woman.	Appointed by governor with consent of Senate.	5 years

State.	A. CHIEF ADMINISTRATIVE POWER.		
	Arrangement of Terms.	Organization.	Compensation.
IND.	1 for 2 years, 1 for 4 years, 1 for 6 years, until expiration of term of first member (original plan for 3 members).	Appoints one of its own members as president, one as vice-president, one as secretary and one as treasurer.	\$300 per annum each and traveling expenses not to exceed \$125 a year each.
IOWA	1 for 2 years, 1 for 4 years, 1 for 6 years, until expiration of term of first member.	Chairman to be the member whose term first expires.	\$3,000.00 per annum and traveling expenses.
MAINE	Term of one member to expire annually.	Members appoint president and secretary from among themselves.	\$5.00 a day when actually in service of institution and expenses necessarily incurred.
MASS.	*	*	\$6,000 per annum.
MINN.	*	(1) Member whose term first expires, to be chairman. (2) *	(1) \$4,500 per annum. (2) Only expenses necessarily incurred in performance of duties.
N. J.	(1) 2 for 1 year, 2 for 2 years, 2 for 3 years. Thereafter, 2 members annually for 3 years.	(1) Appoint from its own members a president, vice president, secretary and treasurer.	None.
N. Y.	(1) Term of one member to expire annually.	(1) Appoints from its own members, a president, secretary and treasurer.	(1) None; allowed necessary expenses in attending meetings.
OHIO	(1) * (2) Appointment for 1, 2, 3 and 4 years respectively. Thereafter, one annually.	(1) * (2) Must organize within 30 days.	(1) Traveling and other expenses necessarily incurred. (2) \$5,000 per year and necessary traveling expenses.
PENN.	(1) * (2) 3 for 3 years (one a woman); 3 for 2 years (one a woman); 3 for 1 year (one a woman). Thereafter, 3 annually for 3 years.	(1) Must elect chairman and treasurer from its own members within 30 days. (2) Elects annually a president and treasurer from its own members.	(1) Expenses actually incurred in performance of duties. (2) Same as (1).
WIS.	*	President appointed by governor. All other officers elected by the board itself.	President, \$3,600 per annum; other members, \$2,500.



## A. CHIEF ADMINISTRATIVE POWER—(Continued).

## POWERS AND DUTIES.

Possess fitness for position; give bond; right to condemn property for necessary purposes; make contracts after competitive bidding, but no member of Board to have financial interest in contracts; have legal custody and supervision of institution; give sufficient time and attention to secure its efficient management; appoint and remove (for cause) superintendent; determine number, duties and salaries of subordinates; conduct institution on non-partisan basis; make annual reports to governor.

Take oath of office, select site, construct building; notify courts when ready for occupancy, also when capacity is reached; appoint superintendent; determine number of officers; fix salaries with approval of governor and uniform with similar state institutions; prescribe duties; make provisions for government, discipline and control of institution; visit monthly; investigate abuses; keep records; prepare estimates of appropriations.

Select and purchase site (subject to approval by Governor and Council); adopt plans; appoint superintendent of construction; make contracts (all above \$500 to be advertised); erect and furnish buildings; appoint superintendent and fix all salaries; have general superintendence, management and control of grounds, buildings, officers and inmates; make rules and regulations; act as board of parole and discharge; issue warrants; report annually to governor and Council.

Appointment of superintendent; general supervision of institution; making of rules for direction of officers, for government, discipline and instruction of inmates; for custody and preservation of property connected with institution; visits at frequent intervals; transfer of prisoners to and from reformatory; keeping informed as to management and discipline of institution; determination of industries which shall be established and maintained. (Acts 1874, power to select and determine plan, make contracts and purchase eligible site in commonwealth and to cause to be erected thereon suitable buildings, all subject to approval of governor and Council.)

(1) Invite proposals for site; select and acquire site (by gift or purchase); prepare plans and estimates; submit latter, with recommendations, to legislature of 1917; have financial and general supervision of institution as hitherto provided by law; appoint superintendent, officers and employees; prescribe duties; fix compensation; make and establish rules and regulations for government and management of institution and education, employment, training, discipline and safe-keeping of inmates; visit at least once in six months; inspect thoroughly; report bi-annually to governor; provide estimates and suggestions for benefit of institution and "for improving the conditions of ..... criminal classes."

(2) Advise with Board of Control with reference to architecture and arrangements of buildings; style and character of furnishings, fixtures and other matters deemed necessary by Board of Control; visit institution when nearing completion and thereafter at least twice annually to inspect buildings, examine conditions, sanitary and otherwise; inquire into treatment and condition of women, examining separately; report after each visit, in writing, to Board of Control, with recommendations to promote and conserve best interests of said reformatory and inmates.

(1) Select site; make plans; manage and control property; establish system of government; make rules and regulations for care, support, discipline, detention, education and employment of inmates; appoint superintendent; fix number, duties and salaries (within legal limits) of all subordinates; hold monthly meetings at institution; efficiently inspect institution; keep records; make annual reports to governor, financial and general; act as board of parole and discharge; take oath of office.

(2) Approve plans of (1); erect buildings by contract; turn over latter to (1) when complete.

General superintendence, management and control of institution; of grounds, buildings, officers, employees and inmates; of all matters relating to the government, discipline, contracts and fiscal concerns; make rules and regulations; constitute board of parole; have power to parole and discharge inmates.

(1) Select site; purchase land; obtain options on adjoining land; adopt plans and specifications; prepare estimates; let contracts; build and place institution in readiness for use.

(2) Have control and management of institution; assume all duties and obligations of (1); appoint superintendent; fix salaries of all officers and employees; act as board of parole and discharge.

(1) Select and purchase site; have power of eminent domain; prepare plans and specifications, build and equip; let contracts (after competitive bidding); appoint superintendent of construction and fix compensation; when completed, to turn over buildings and management to (2).

(2) Have sole charge and management of institution; approve contracts for equipment; let out contracts after competitive bidding; appoint superintendent; fix compensations; make rules and regulations for care, detention, employment and education of inmates; provide credit system for inmates; give opportunity for inmates to converse privately with one of managers monthly; parole and discharge inmates (charge expenses of each inmate to county from which sentenced).

Select site (to be approved by governor); erect necessary buildings; have general supervision, control and government of institution; appoint superintendent and steward; determine number of officers and fix all salaries; maintain system of training and instruction in trade and domestic science; to create industries; make rules for parole and discharge.

State.	B. SUPERINTENDENT.		
	App'tment and Removal.	Sex.	Powers and Duties.
IND.	Appointed by Board of Trustees.	Must be a woman.	Give bond for \$10,000; reside at institution; have charge and custody of buildings and inmates; appoint (after examination for fitness) or remove, subordinates; govern in accordance with rules of Board; provide estimates of expenses; keep full records of prisoners.
IOWA	Appointed by Board of Control.	Must be a woman.	Have immediate management of institution under Board of Control; appoint all subordinates; provide instructors, etc.; render quarterly inventory of supplies; make monthly reports.
MAINE	Appointed and removed by Board of Trustees.	Must be a woman.	Subject to Board of Trustees, 1. Have general supervision and control of buildings, officers, employees, and inmates; 2. Make rules for government of institution and for employment, discipline and education of inmates; 3. Such other duties as the Board may direct; 4. Appoint and remove all subordinates; keep records of inmates.
MASS.	Appointed and removed by Director.	May be man or woman.	Give bond for \$10,000, to be approved by Director; reside at all times at reformatory; have custody and control of prisoners; govern and employ them according to law; have management and direction of prison and its employees; receive and disburse money appropriated; purchase supplies; keep accounts; keep records of inmates.
MINN.	Appointed by Board of Control. May be removed for misconduct, incompetency or neglect of official duty.	Must be a woman.	Prescribed by Board of Control.
N. J.	Appointed by Board of Commissioners; may be removed by Board or governor for cause.	Must be a woman.	Give bond for \$10,000 to be approved by Board and filed with secretary of state; reside in institution; appoint and remove subordinates; have care, custody and control of prisoners; govern and employ according to law; make purchases subject to approval of Board; sell products of institution and turn over funds to state treasurer; keep records; make monthly reports to Board.
N. Y.	Appointed by Board of Managers. Removed by Board; or by governor for cause after hearing.	Must be a woman.	Subject to direction and control of Board of Managers. 1. Have general supervision and control of grounds, buildings, officers, employees, inmates, and of all matters relating to government and discipline. 2. Make rules and regulations necessary to carry out (1) and for the employment, discipline and education of inmates. 3. Exercise other powers and perform such other duties as the Board prescribe; appoint and remove all subordinates (subject to approval of Board).
OHIO	Appointed by Board of Administration.	Must be a woman.	Appoint and remove subordinates, specify duties, with exception of clerk who shall keep accounts and report to Board of Administration at its regular meetings.
PENN.	Appointed and removed by Board of Managers.	Must be a woman.	Under direction and control of Board, appoint and suspend subordinates, the latter subject to ratification by Board.
WIS.	Appointed by State Board of Control.	Must be a woman.	Have direct charge of institution and all property belonging to it; have control and discipline of inmates and employees; select assistant superintendent and all other subordinates (except steward) subject to approval by Board.

## C. SUBORDINATE OFFICERS.

State.	Appointment and Removal.	Sex.	Number and Titles.	Salaries.	Duties.
IND.	By superintendent.	Women.	Determined by Board of Trustees.	Fixed by Board.	Prescribed by Board.
IOWA	By superintendent.	*	Determined by Board of Control.	Fixed by Board within legal limits.	Prescribed by Board.
MAINE	By superintendent.	*	Determined by superintendent under direction of Board of Trustees.	Fixed by Board.	Determined by superintendent consistently with rules of Board.
MASS.	By superintendent.	Women.	Deputy superintendent, chaplain, physician, clerk, not over 26 matrons. One officer may be designated as assistant deputy. Extra officers may be employed to carry out purpose of law relative to hours of labor.	Fixed by law; also hours of labor.	Determined by superintendent.
MINN.	Appointed and discharged by superintendent except purchasing agent; must be removed for political activity or accepting gifts.	All women.	Determined by Board of Control.	Fixed by Board of Control uniform with similar state institutions.	Determined by Board of Control.
N. J.	By superintendent subject to approval of Board of Commissioners.	Women.	Specified in law: deputy superintendent, chaplain, physician, clerk and necessary matrons, determined by Board.	Fixed by Board within legal limits (also wages and hours).	Determined by superintendent according to general rules of Board.
N. Y.	By superintendent subject to approval of Board of Managers.	Women, if coming in contact with inmates.	Fixed by Board of Managers.	Fixed by Board according to legal schedule.	Determined by superintendent.
OHIO	By superintendent.	Women as far as practicable.	Determined by law: assistant superintendent, physician-and-chaplain, teachers, clerk and other necessary employees.	Fixed by Board	Determined by superintendent (except clerk) subject to general rules of Board.
PENN.	By superintendent, subject to approval of Board, but each must be strictly examined as to moral character and fitness to care for and instruct inmates.	*	Determined by superintendent subject to approval by Board.	Fixed by Board	Determined by Board.
WIS.	By superintendent with approval of Board of Control.	*	Determined by Board of Control.	Fixed by Board	Determined by Board.

State.	Age	Courts Having Jurisdiction.	Powers of Courts.	Classes to be Committed.
IND.	Over 18 yrs.	Courts of competent jurisdiction. i. e., criminal, police and petty courts.	Obligatory for class A and part of B. Permissive for part of Class B.	A. Women convicted of crimes punishable by imprisonment in the state prison. B. Women convicted of offenses punishable by imprisonment for more than 90 days; 30-90 days permissive; none under 30 days.
IOWA	None under 9 yrs.	District or any inferior court.	Obligatory.	A. Women convicted of felony. B. Women convicted of misdemeanors.
MAINE	Over 16 yrs.	Courts of the state or U. S.	Permissive (whether determinate or indeterminate sentence is to be given).	A. Women convicted of crimes punishable by imprisonment in the state prison. B. Women convicted of offenses punishable by imprisonment in county jails or other correctional institutions.
MASS.	*	Courts of Massachusetts and of the U. S.	Permissive under 2½ years. Obligatory over 2½ years.	A. Women convicted of felony. B. Women convicted of misdemeanors, including drunkenness, simple assault, night walking, fornication, idle and disorderly conduct, keeping disorderly house, lewdness, stubbornness, vagrancy and unlawful taking.
MINN.	Over 18 yrs.	Any court or magistrate.	Optional.	A. Women convicted of felony. B. Women convicted of petty larceny, vagrancy, habitual drunkenness, common prostitution, frequenting disorderly houses or houses of prostitution.
N. J.	17-30 yrs.	Courts of criminal jurisdiction and courts of quarter sessions.	Permissive.	A. Women convicted of crimes punishable by imprisonment in the penitentiary or state prison. B. Women convicted of offenses punishable by imprisonment in jails.
N. Y.	16-30 yrs.	Any court or committing magistrate.	Permissive.	A. any women between 16 and 30 convicted of a felony who has not served a term in prison. B. Any women, 16-30, or any woman of any age, convicted of petit larceny, vagrancy, habitual drunkenness, common prostitution, frequenting disorderly houses or houses of prostitution, or of a misdemeanor, not insane, or mentally or physically incapable of being benefitted by institution.
OHIO	Over 16 yrs.	Any court of state.	Obligatory.	All women guilty of offenses punishable by imprisonment for more than 30 days in penitentiary, jail, work-house, or any other correctional institution (except murder in the first degree without recommendation of mercy).
PENN.	16-30 yrs.	Courts having jurisdiction over the offense.	Permissive.	Women convicted of any offense including street-walking.
WIS.	16-30 yrs.	Courts having jurisdiction over the offense.	Permissive.	Class 1. Women convicted of felony, first offense (except murder in 1st, 2nd or 3rd degree). Class 2. Women convicted of miscellaneous offenses punishable by imprisonment for more than one year. Class 3. Vagrants, habitual drunkards, common prostitutes, drug users or any misdemeanants.

State.	Sentences.	Records and Warrants.	Notification of Commitment.
IND.	Indeterminate within the maximum term provided by law.	*	*
IOWA	Indeterminate for Class A, within maximum of term provided by law; Class B, within 5 years.	Sex, residence, age, nativity, and occupation to be recorded and transferred to institution with prisoner.	*
MAINE	Indeterminate for Class A, within 5 years; Class B, within 3 years. Determinate for Class A, if punishment prescribed by law is for more than 5 years.	Record of name, age, birthplace, occupation, previous commitments, if any, and for what offense, last address, and particulars of offense committed, to be made and transmitted with warrant to superintendent.	Duty of judges to notify superintendent of commitment.
MASS.	Indeterminate (1) within 5 years, for larceny or felony; (2) within 2 years, for misdemeanors, except (3); within 1 year, for drunkenness and violation of Uniform Desertion Act. Determinate sentence of more than 5 years may be imposed.	A. Clerk of court to transmit with mittimus an attested copy of complaint or indictment under which person was convicted; names and addresses of persons who testified at trial for and against; records containing names and addresses of presiding judge, district attorney and of attorney for defendant. B. Bertillon record for felony cases. C. Institution records.	
MINN.	Indeterminate between minimum and maximum of term prescribed by law for the offense.	Same as upon sentence to state reformatory for men.	*
N. J.	Indeterminate within maximum of term provided by law.	Clerks of courts to provide attendants with copies of commitments.	*
N. Y.	Indeterminate within 3 years.	Record blanks to be furnished clerks of courts by institution. Courts to make record of name, age (to be accepted as legal age), birthplace, occupation, previous commitment, if any and for what offense, last place of residence, and particulars of offense for which committed. This to be transmitted with warrant and put on record at institution.	Judges at once to notify superintendent of commitment.
OHIO	Indeterminate (but a determinate sentence shall not make void the commitment) for Class A, between minimum and maximum of legal term; Class B, within 3 years.	Board shall keep record showing name, residence, age, nativity, occupation, condition and date of entrance; date, terms and cause of discharge and condition at time of leaving.	*
PENN.	Indeterminate within 3 years or, when maximum of term specified by law exceeds 3 years, within the maximum prescribed (Sentence not void if by mistake made determinate).	A complete record of name, nativity, nationality, previous life and surroundings, particulars of offense for which committed, must be kept at institution; also sent to State Board of Charities.	Courts to notify institution of proposed commitment.
WIS.	Optional with court as to Indeterminate sentence between minimum (not less than one year) and maximum term specified by law, and Determinate between minimum (one year) and the maximum specified by law.	Complete record of trial and statement of district attorney to be furnished by clerk. Record kept at institution to include date of admission, name, age, nativity, parentage, education, previous environment, also semi-annual record of progress.	Clerks of courts to notify superintendent of commitment.

State.	Attendants.		Provision for Children of Prisoners.	
	Sex.	Provided By	Under One Year Old.	Over One Year Old.
IND.	*	County from which woman is sentenced.	*	*
IOWA	Woman	By court in which woman is sentenced.	*	*
MAINE	*	*	Nursing child and under one year, or born after commitment, may be admitted to institution and kept until two years, when it must be removed and provided for by Board (in asylum or with relatives until discharge of mother.	Children over one year with out proper care must be provided for by magistrat with relatives or in proper institution.
MASS.	*	*	Children under 18 months may be admitted, placed with relatives or overseers of the poor where they have legal settlement. If without legal settlement in Massachusetts, they may be sent to State Hospital, as provided in case of alien paupers.	*
MINN.	*	*	*	*
N. J.	Sheriffs	County in which woman is sentenced.	Nursing children under one year or born after commitment, may be admitted to institution and retained until two years when they must be removed and provided for by Board until discharge of mother.	Children over one year must be provided for by the county in which the mother was committed.
N. Y.	Women (known as marshals).	Board of Managers	Nursing children under one year or born after commitment may be retained in institution until two years of age, when they must be removed and provided for by Board of Managers until release of mother, either in asylums or with relatives or proper persons.	Children over one year with out proper guardianship shall be committed by magistrate to asylum, relative or proper person.
OHIO	*	*	*	*
PENN.	Woman	Institution.	*	*
WIS.	Must be a woman.	Provided by institution but paid for by county in which woman was convicted.	*	*

## TRANSFERS.

State.	TO Reformatory FROM Other Institutions.	FROM Reformatory TO Other Institutions.
IND.	TO penal department, when opened, of all women (with records) confined in the state prison. TO correctional department, from the Indiana Girls' School, of incorrigible girls over 18. TO institution, from jails and workhouses.	FROM institution to Insane Hospital.
IOWA	TO reformatory from Industrial School for Girls, of incorrigible inmates.	FROM reformatory back to Industrial School for Girls.
MAINE	TO reformatory back from state prison of any woman committed temporarily.	FROM reformatory to state prison (temporarily) of any woman who is incorrigible or whose presence is detrimental to other inmates.
MASS.	TO reformatory from State Farm, Jails (sentenced prisoners), Houses of Correction, Industrial School for Girls, Insane Hospitals (when restored to sanity and time has not expired), Hospitals (if removed thereto from reformatory).	FROM reformatory to State Farm, Jails, Houses of Correction, Industrial School for Girls, Insane Hospitals (by order of the court), Hospitals (for medical or surgical treatment).
MINN.	*	*
N. J.	TO reformatory from state prison, on written request and approval of governor, of all women over 17, with copies of records; also, from penitentiary. TO reformatory from State Home for Girls. TO reformatory back from Insane or other Hospitals, if within maximum of term.	FROM reformatory (temporarily) to Insane Hospital, through the court in which the reformatory is located. FROM reformatory to hospitals for medical treatment (state not to pay more than \$2.50 a week).
N. Y.	*	FROM reformatory back to county at expense of county, of women improperly committed. FROM reformatory to other state institutions by State Board of Charities with approval of governor and upon notice duly made to the institutions from and to which transfer is contemplated.
OHIO	TO reformatory from the Ohio penitentiary, of all women except those sentenced for murder in the first degree without recommendation of mercy, together with records. TO reformatory from Girls Industrial School, of incorrigible girls over 17, together with records.	*
PENN.	TO Home from other penal institutions, by requisition, when there is unoccupied room.	FROM Home to state prison, of incorrigible inmates (and return by requisition).
WIS.	TO Home from state prison, of any woman, under 30, serving her first sentence. (Home has right of parole). TO Home from Industrial School for Girls and other institutions, public and private, of girls committed there to by courts who would have been eligible for admission to home. Home then has control.	FROM Home to state prison of (1) women over 30 at time of commitment, (2) any incorrigible in class A. and also in case of overcrowding (and may return latter). FROM Home to Insane Hospital, or Home for Feeble Minded (and return if within the expiration of term).

State.	IV. DESCRIPTION OF INSTITUTION.		
	Purpose of Institution.	Acreage.	Description of Land.
IND.	"To reform the character, preserve the health, secure fixed habits of industry, morality and religion. Discipline, employment and instruction shall be conducted to the end that the inmates shall be rendered intelligent, industrious and useful citizens of the state.	15.61 A.	Site to be within 5 miles of state capitol.
IOWA	"To secure the reformation and future well-being of inmate." To "prepare inmates to lead virtuous lives and become self-supporting members of society."	218.8 A.	*
MAINE	"Teaching such women a useful trade or profession, and improving their mental and moral condition."	Not less than 200 A.	Part shall be arable to the end that so far as practicable the food for the inmates may be produced on such land.
MASS.	Reform of women sentenced thereto.	(Acre to be set aside for cemetery).	Suitable.
MINN.	Education, employment, training, discipline and safe keeping of the inmates.	165 A.	In any county of state; healthfulness of location, character of soil, facilities for drainage, quality of water supply, market-value of site, convenience to railroad transportation and to needs of state to be considered.
N. J.	To "secure the reformation of the prisoner."	(Acre to be set aside for cemetery).	*
N. Y.	Teaching the women a useful trade or profession and improving their mental and moral condition.	(1) 92.57 (2) 195.5	*
OHIO	*	Not over 300 A. (option on 500 A. adjoining).	*
PENN.	"To prevent young offenders from becoming hardened criminals * * to subject them to remedial treatment, training and instruction * * to * * secure to each instruction in the rudiments of an English education and in such manual and skilled vocations as may be useful after discharge and whereby she may obtain self-supporting employment."	Not less than 100 nor more than 500 A. (1915, 500 more, to control water supply).	Site to be in central part of state, reasonably near a railroad, unless on lands already owned by state. Land to be arable, to the end that so far as practicable the food for the inmates may be produced on the land.
WIS.	"For protection and reformation of inmates."	*	Suitable and proper.



State.	Buildings.	Notification of Opening of Institution.	Preliminary Examination.	
			Physical	Mental.
IND.	To provide for two separate departments, penal and correctional.	By proclamation of governor; (also when institution becomes overcrowded).	*	*
IOWA		Board of Control to notify judges of courts 30 days prior to opening.	*	*
MAINE	Must be constructed on cottage system.	*	*	*
MASS.	Brick construction.	By proclamation of governor.	Physical examination given; Bertillon records of women sentenced for felony.	Mental examination given.
MINN.	Cottage plan.	*	*	*
N. J.	*	Board of Commissioners to notify clerks of courts.	*	*
N. Y.	Determined by Commission of Sites, Grounds and Buildings.	*	*	*
OHIO	To be arranged so as to make classification possible.	By proclamation of governor to county clerks, judges and magistrates having jurisdiction; also when new buildings are opened.	*	*
PENN.	Shall be constructed on cottage system.	Board to notify governor when institution is ready.	*	*
WIS.	*	*	Especial attention to be paid to women affected with venereal disease.	*

State.	Classification of Inmates.	Education.	
		General and Vocational.	Employment.
IND.	Penal and correctional departments to be separated; rules and regulations to be adapted to character of inmates in each.	Instruction in reading, writing and arithmetic; mental, manual and moral training to be provided in addition to employment.	Industries to be provided for; inmates of correctional department must be employed.
IOWA	Classification and separation of different classes to be provided for.	Instruction to be given in religion, morality, physical culture, common school and other branches, domestic and mechanical arts.	To be employed about institution.
MAINE	To be according to their mental and moral condition and the care, instruction and employment which they should respectively receive.	Useful trades and professions to be taught.	Employment to be provided for the purpose of teaching useful trades.
MASS.	Director, with approval of governor and Council, shall make rules for dealing with prisoners, according to their behavior and industry.	Chaplain acts as teacher, and as such has charge of prison school and instruction of prisoners. Useful trades may be taught.	Inmates shall be employed in industries established by Director, or in custody of officer in caring for public lands and buildings, but not outside precincts of place of imprisonment in doing work of any kind for private persons.
MINN.	Proper classification and grouping to be provided for.	Religious instruction weekly.	*
N. J.	*	Useful trades or professions to be taught.	Provision for employment. (No contract labor permitted in any correctional institution.)
N. Y.	Presented by Board of Managers.	Prescribed by Board of Managers.	Employment of inmates shall be for the purpose of teaching useful trades for which they may be given a compensation, charged \$2.00 a week for board, receiving excess earnings.
OHIO	Classification obligatory.	*	*
PENN.	To be provided for according to mental and moral condition.	Instruction to be given in (1) rudiments of English language, (2) manual and skilled vocations looking toward future self-support.	Employment to prepare for future self-support; to be solely for commonwealth—no contract labor.
WIS.	*	Instruction in trades and domestic science to be provided.	Industries to be created.

State.	PAROLE.		
	Paroling Power.	Conditions.	Agents.
IND.	Superintendent, board of trustees, chaplain, physician with clerk; the superintendent, president of board.	Satisfactory institutional record; reasonable probability that inmate will remain at liberty without violating the law.	Parole agents to be provided for.
IOWA	Board of Parole.	Good conduct, proficiency in studies, excellency in industrial department.	"
MAINE	Board of Trustees.	Reform and suitable employment secured in advance.	*
MASS.	Board of Parole of Bureau of Prisons.	Reform, and obedience to rules governing paroled prisoners: 1. Be law-abiding, 2. Industrious, 3. Avoid bad associates and be discreet in conduct, 4. Use no intoxicants, 5. Obtain permission before leaving employment or changing address, 6. Report once a week during first month, and once monthly thereafter until expiration of sentence; give such information as is required.	One agent for aiding discharged prisoners; two agents for supervising women on parole.
MINN.	Board of Parole.	Expiration of minimum term provided by law for offense.	*
N. J.	Board of Commissioners.	Recommendation of superintendent that inmate is likely to be law-abiding, certain amount of money and apparel to be provided.	*
N. Y.	(1) Board of Managers. (2) Board of Managers; judge, on written request, may serve as member in voting parole to any woman committed by him.	Prescribed by Board of Managers.	Provided by Board of Managers.
OHIO	Ohio Board of Administration on recommendation of superintendent.	Recommendations of superintendent, Class A. not eligible under 5 years; Class B, eligible as follows: First offenders, after 2 mos.; second offenders, after 4 mos.; Third offenders, after 6 mos.	*
PENN.	Board of Managers.	Term of parole—90 days, subject to renewal.	*
WIS.	State Board of Control.	That the inmate shall for a reasonable time convince the Board that she will be law-abiding, temperate, honest and industrious and providing that suitable employment has been secured in advance.	To be provided by Board and known as field officers.

State.	VIOLATION OF PAROLE (AND ESCAPE).		PARDON.
	Penalty.	Returned by.	
IND.	*	*	*
IOWA	Return.	Peace officer on order of Board of Parole.	Governor, on investigation and recommendation of Board of Parole.
MAINE	Return to institution to serve unexpired term, dating from revocation of permit; penalties provided for those aiding in escape.	By any officer of institution, sheriff, etc., and other persons, but cannot be detained (pending return) in jail; officers to be compensated by county from which commitment was made.	Pardoning powers of governor conserved.
MASS.	Return to institution to be held according to terms of original sentence, time between release on permit and return not considered part of original sentence.	On warrants issued by Board of Parole of Bureau of Prisons.	By governor, with advice and consent of council.
MINN.	*	*	*
N. J.	After return to institution, may be made to serve unexpired term of maximum sentence.	On warrants issued by Board of Commissioners.	*
N. Y.	May be rearrested and returned to institution for unexpired portion of term, dating from time of escape or conditional discharge.	By marshals, without warrant, in case of escape. By marshals, on warrant issued by president and secretary of board, in case of violation of parole.	*
OHIO	Shall be returned to serve unexpired portion of the maximum sentence, dating from time of escape or conditional discharge.	Written order of superintendent for officer named therein to arrest.	May be recommended (without intervention of state board of pardons) to governor by superintendent and unanimous vote of Board
PENN.	May be kept in institution maximum term including time on parole. Penalty for escape, "breach of prison."	Any person having authority to serve criminal processes, on warrants issued by Board of Managers.	*
WIS.	Returned to institution; for escape, penalty not exceeding 2 years; penalties provided for aiding in escape.	On warrants issued by Board of Control.	Pardoning power of governor conserved.

State.	DISCHARGE.	VI. ORIGINAL APPROPRIATIONS.
	Conditions.	
IND.	*	\$50,000 and \$15,000 annually, for support.
IOWA	Acceptable service of one year on parole.	\$2,500 for refurnishing old building and establishing industries.
MAINE	*	\$20,000 (1915) \$30,000 (1916)
MASS.	*	\$300,000
MINN.	*	\$30,000
N.J.	Satisfactory parole record; recommendation of superintendent and vote of Board of Commissioners; money and clothing to be provided.	*
N.Y.	Prescribed by Board of Managers.	(1) \$130,000 (2) \$100,000
OHIO	One year of satisfactory parole; vote of board; transportation, clothing and money to be provided.	\$100,000 \$350,000 to complete building.
PENN.	Recommendation of superintendent and physician, endorsed by Board of Managers and approved by judge of court, after conference with district attorney.	\$250,000
WIS.	Allowance, for good behavior, on term.	\$35,000 (1913) \$25,000 (1914) \$300,000 (1914) \$65,000 (1915)