

## Chapter 7

# The Limits of Progressive Penology, 1900–1920

The Progressive reformers who revised theories of female criminality also called into question the methods employed by women's prisons in the previous century. Separate, feminine institutions had appealed to an older generation who viewed women as a separate sexual class in need of protection from male influence. The Progressives, however, identified environmental sources of women's crime, including poverty, lack of education, and low-paying, tedious work. Prisons alone could not resolve these problems. Moreover, both the personal lives and the published writings of the new reformers rejected the traditional boundaries of the domestic sphere. Thus they did not share the traditional reformatory goals of building feminine characters and training for domesticity.

As a result of these new ideas, women's prison reform both expanded beyond its institutional focus and modified older penal methods. On the one hand, Progressive reformers who favored extrainstitutional, preventive services over incarceration concentrated on changing criminal justice practices before the stage of imprisonment. On the other hand, superintendents Katharine Bement Davis and Jessie Donaldson Hodder tried to improve the women's prisons through better classification and education, and diversified training. Ironically, the very successes of extrainstitutional reforms often undermined efforts to improve the prisons, for they helped create institutions of last resort.

### Extraintitutional Reforms

A widespread concern over prostitution, which peaked around 1910, facilitated the expansion of women's prison reform during the Progressive era. Exposés about the sexual exploitation of young women, popularized in newspapers, magazines and through dozens of vice-commission reports in American cities, provided both social-purity and prison reformers with new reasons to criticize the treatment of fallen women. In contrast to the nineteenth-

century reformers, who had concentrated on the possibility of uplifting the prostitute, the Progressives sought new ways to prevent her fall.<sup>1</sup>

The Progressive responses to prostitution revealed a deep ambivalence toward the fallen woman.<sup>2</sup> Many journalists and civic reformers pointed to commercialized vice as proof that working women, along with urban political machines and immigrants, were destroying American society. But at the same time, social justice reformers, more interested in the female victims of the trade, aided young urban women as a way to prevent the spread of prostitution.

Social services for immigrants and new migrants to the cities contributed to the wider scope of preventive work. Immigrant Protective Leagues helped women traveling alone to avoid exploitation by employers and landlords, as did the Young Women's Christian Association, the National Council of Jewish Women, and the Clara deHirsch Homes for Immigrant Girls. Investigations by Frances Kellor and other women reformers identified fraudulent employment agencies and rooming houses that allegedly procured girls for brothels.<sup>3</sup>

Other preventive services reached out to the young woman on the verge of a criminal career. The Big Sisters, organized in several cities after 1910, offered social hygiene instruction, recreation, and home placement for delinquent girls and monitored the girls' court proceedings.<sup>4</sup> Rescue homes aided other women who had taken the first step. Under the leadership of Kate Waller Barrett, the Florence Crittenton Homes rejected their earlier mission of converting prostitutes and became refuges for unwed mothers, to prevent them from falling into prostitution.<sup>5</sup> Other homes served as quasi-public reformatories to which the courts sent convicted first offenders.

Closely related to these private, preventive agencies was the movement to hire policewomen in American cities. Although police matrons had been introduced in American jails in the 1870s and 1880s, they had performed largely custodial duties. In 1905 the city of Portland, Oregon, first delegated police power to women volunteers at the Lewis and Clark Exposition, setting the precedent for the creation of women's divisions in police forces throughout the country. Between 1910 and 1925 over 150 cities appointed policewomen to duties which centered around protecting women and children. Experience in social case work was often a prerequisite for the policewoman, who supervised dance halls

and movie houses and enforced youth curfews. In addition, they handled detective work on cases involving women and accompanied these women to court.<sup>6</sup>

Policewomen, reformers agreed, would improve conditions in city jails and station houses, where the majority of all women prisoners served during short sentences and while awaiting trial. Separate women's prisons had alleviated the abuses of mixed institutions for only a few prisoners. Police stations and jails, with scenes reminiscent of those Elizabeth Fry confronted in 1815, still mixed first offenders and hardened criminals in close, unsanitary quarters. Juvenile reformer Martha Falconer called the jail a "perverter of womanhood" and criticized prison reformers who "devoted all of their time to the improvement of convict prisons and the reformation of convicted criminals." She explained, "The time to reform a criminal is at the beginning of her career and not at the end. . . . caring for prisoners awaiting trial [should] be emphasized in the highest possible degree. The treatment of men in jails and police stations is bad enough, but the treatment of women is generally worse."<sup>7</sup>

Women in several states attempted not only to have female staff hired for mixed institutions but also to have separate women's quarters established. In Massachusetts special women probation officers interviewed female offenders at the jails, accompanied them to court, protected them from false accusations, and tried to keep them out of prison by recommending probation. In Chicago the deplorable conditions in the women's quarters of the Cook County jail prompted an experiment in 1915 in which local women's groups oversaw the renovation of three station houses as "Detention Homes for Women." This project was abandoned, however, after the police rejected the recommendations of the Women's Advisory Committee.<sup>8</sup>

The women's courts established in several cities during the Progressive era had greater success. The main functions of these courts were to centralize preventive services and to provide a more dignified atmosphere for trying morals cases. In New York an additional purpose was to try prostitutes as soon as they were arrested, usually at night, and thus avoid detaining them in police stations. Women's courts would help separate prostitutes from their pimps, who often attended trials, paid the fine or bail, and returned their workers to the streets directly from the courthouse. In addition, medical and social workers would, ideally, be attached to women's courts to diagnose physical, mental, and social

problems and to recommend the best form of treatment for each offender.<sup>9</sup>

The separate women's court originated in New York City in 1908, when the night court was divided into male and female branches. After 1910, all women from Manhattan and the Bronx charged with prostitution (either soliciting or loitering), and all girls charged with incorrigibility, went to the women's night court (which became a day court in 1918). There they were fingerprinted, tested for venereal disease, and investigated by case workers.<sup>10</sup>

For those convicted, reformers from the Women's Prison Association urged probation instead of fines or imprisonment.<sup>11</sup> New York did abolish fines for prostitution as part of the effort to undermine the control of pimps, and the number of probation cases doubled between 1907 and 1913. Female probation officers began their supervision of a convicted woman by investigating her home environment. If it seemed inadequate the officer might recommend a suspended "sentence" in an approved home, such as Waverly House, affiliated with the New York Probation Association, or a private agency like the Magdalen Homes. In addition to the court officer, social service volunteers often stepped in to help first offenders. Alice Menken and her coworkers in the Jewish Big Sisters would appear at the New York women's court and invite the Jewish defendants to attend Sunday morning meetings at Shearith Israel, the Sephardic congregation. They sometimes became official or quasi-official probation officers for Jewish prostitutes.<sup>12</sup>

Other cities established variations on the separate women's court. The Chicago morals court, for example, was founded at the request of that city's vice commission, both to heighten public awareness of the extent of prostitution, and to coordinate specialized law enforcement and social services for its defendants. In Chicago and in the Philadelphia women's misdemeanor division, the courts handled morals charges for both sexes, but female clientele predominated. These courts provided special facilities for prostitutes, including detention quarters for women, medical examination rooms, and probation departments which hired female officers.<sup>13</sup>

Although the women's courts intended to improve the quality of criminal justice for moral offenders, in practice they discriminated against their clients in a number of ways. Like juvenile courts, they often dispensed with jury trials, giving the judge extraordinary powers to convict and sentence. Although they tried

to protect women from the exploitation of men, the courts did little to prosecute either pimps or customers. Even though compulsory hospitalization of venereally infected women was ruled unconstitutional in New York,<sup>14</sup> physical examinations of all accused women continued there and elsewhere. The courts dismissed male customers without tests or treatment for venereal disease. Furthermore, due process was effectively abrogated in the women's courts because complaints were not filed until after arrest and bail (as in the Chicago court) and cases were postponed pending results of physical examinations.

The extrainstitutional methods which Progressive reformers introduced had many shortcomings, yet they did evidence a willingness to experiment outside of the prison.<sup>15</sup> Preventive social services, homes for female delinquents, and probation officers all were attempts to eliminate the environmental causes of crime. Perhaps they kept some women from becoming prostitutes. More importantly they kept many from becoming inmates of penal institutions. At the same time, these extrainstitutional reforms integrated women professionals—lawyers, probation officers, and policewomen—throughout the criminal justice system, not simply in separate women's prisons. In expanding women's prison reform beyond its institutional base, however, the Progressives also forced a reconsideration of the prison itself.

### **Institutional Adjustment**

Even as prevention became the watchword of the Progressives, both male and female reformers experimented with a "new penology" that attempted the rehabilitation of prison inmates. Advocates of the new penology criticized the traditional mechanisms of prison discipline that trained good prisoners but did not prepare inmates for lives outside institutional walls. Reformers like William George and Thomas Mott Osborne tried to transform juvenile reformatories and penitentiaries into what one historian has termed "anti-institutional institutions."<sup>16</sup> George's "Junior Republics" were coeducational, self-governing communities for young delinquents. Under Osborne's superintendence, a "Mutual Welfare League" at the Auburn, New York, penitentiary and a "Golden Rule Brotherhood" at Sing Sing prison granted self-government to inmates on the principle that "it is liberty alone that fits men for liberty."<sup>17</sup>

Of the women prison reformers who shared the "anti-

institutional” outlook, the most influential were Katharine Bement Davis and Jessie Donaldson Hodder. In New York and Massachusetts, respectively, they pursued two lines of innovations. First, they attempted to transcend the physical limitations of women’s prisons by emphasizing the cottage system, parole, outdoor work, and recreation. Secondly, they pressed against the less-tangible boundaries of domesticity by expanding training to include academic and industrial classes and nontraditional women’s work.

Modifications in women’s reformatories occurred within several types of settings. In New York the opening of a new institution provided an opportunity to incorporate the lessons of both earlier women’s prison reform and of the new penology. In Massachusetts new personnel tried to adapt an older institution, despite limitations of design and tradition. Both of these experiments influenced the founding of other women’s reformatories, especially in Connecticut and New Jersey.

The New York reformatory enjoyed the advantages of a longer period of planning and the lessons of older reformers. Although the legislation establishing Bedford Hills had been passed in 1892, appropriation and building delays kept it from opening for nearly ten years. During that time reformers who had witnessed the problems of the first prisons insisted that Bedford’s planners secure adequate land, facilities, and staff. Abby Hopper Gibbons, then in her nineties, reminded the managers that “criminals are made what they are by association and treatment. Let us turn over a new leaf and remember they are human.” Josephine Shaw Lowell, who joined the Bedford board of managers in 1899, asked the advice of women educators in hiring staff. As a result, Katharine Bement Davis became the first superintendent.<sup>18</sup>

When Bedford Hills finally opened in May 1901, it represented an improvement on earlier designs. Located on over 200 acres in a rural area of suburban Westchester County, with no fences surrounding it, the reformatory was modeled on the cottage plan. In addition to a reception hall for new commitments, four cottages were ready at the outset in which inmates could be classified by age and behavior. Sanford Cottage housed married women, mothers, and inmates over age twenty-one. With good behavior they could be promoted to Huntington Cottage. Those under age twenty-one resided in Gibbons, and the best behaved under age eighteen lived in Lowell. Cottages were an attempt to mask the fact that this was a prison; thus they were named after founders

and provided the comforts of home. Each cottage had a flower garden, a kitchen equipped with "good linen and china," and twenty-eight pleasantly furnished single rooms that inmates could decorate.<sup>19</sup>

Lessons in democratic self-government, along with the cottage system, modified the older reformatories' intensive supervision of inmates' lives. Davis explained that she wanted inmates to learn that the law was not merely an abstract authority, but a method of conducting relationships between people. Therefore, she started a series of talks on the law, beginning with its origins and development, working up to American democracy, citizenship, and the "importance of women in such a democracy [even] though they take no part in actual government." All of this was a means of preparation for residence in the Honor Cottage, where inmates elected their officers and tried their own cases of infringements of rules.<sup>20</sup>

The parole system at Bedford Hills also differed from nineteenth-century penology. Although early release had been a feature of the Massachusetts women's prison, it was used there largely as an incentive to promote good behavior within the institution. In Davis' view, however, the essential goal of the prison was getting women out through early parole. "No person should be sentenced to an institution who can be cared for outside with hope for herself and safety for the public," she once wrote. The Bedford managers agreed on a policy "to parole inmates as rapidly as they are found to be fitted to go out, and to do this without regard to the period of time spent in the institution."<sup>21</sup>

Preparing inmates for life outside required new training methods. The original women's prisons had abandoned formal classroom work for all but illiterate inmates and had taught mainly domestic skills. Now, however, both the new penology and the new woman demanded more diversified training than cooking, cleaning, and laundry. Katharine Bement Davis came closest to effecting this goal. In addition to academic subjects, inmates at Bedford Hills took industrial and recreational classes. Though her efforts fell short of the goal of training for self-sufficiency, they nonetheless varied the institutional routine and made it much less stifling than the older system.

Davis hired a full-time instructor who held academic classes throughout the week. In addition to basic skills, inmates could take geography, history, current events, or mechanical drawing. To supplement this curriculum Davis gave singing lessons, the

assistant superintendent offered daily gymnastics, and the reformatory physician gave a weekly lesson in physiology and sex hygiene.<sup>22</sup> Recreational programs provided numerous breaks from the classroom. With the financial support of women reformers, Davis hired a summer recreation director from the College Settlement and a special matron for "outdoor work." One staff member produced amateur plays, Gilbert and Sullivan musicals, and other entertainments. Volunteers from almost every one of the Seven Sister women's colleges, plus students on vacation from the University of California, Cornell, and the University of Chicago, assisted the paid staff.<sup>23</sup>

To make classes more palatable, the Bedford Hills' staff adopted Progressive educational methods. All tasks, both in the classroom and outside it, were to be shared by inmates and teachers. The staff was expected to do as much menial work as their charges, and instructors tried to make subject matter relevant to the lives of the women. Daily institutional experiences became the subjects of the lessons. If students learned less history, it mattered little. "Our efforts," Davis wrote, "are to fit girls for life and not to pass examinations."<sup>24</sup>

Vocational training occupied the half of the day not spent in school, for, Davis explained, "our success will depend on our ability to train girls so as to enable them to earn a[n] honest livelihood." At one time, this would have meant only domestic training, but Davis departed from earlier policies saying, ". . . it is not every woman in our mixed throng who is adapted by nature or taste to domestic service, sewing or laundry work. In the reformatories for men, no one for a moment seriously considers limiting the trades taught to cooking and tailoring, though these occupations are highly respectable, and the remuneration of the chef or custom tailor is excellent."<sup>25</sup>

Although part of inmates' training consisted of cooking, laundry, and food service within the cottages, Davis supplemented this with nondomestic tasks as much as possible. Classes in hat making and machine knitting began in 1903. In 1904 several inmates took stenography and typing classes, and a few became aides in the institution's hospital and supply room. Over the next years, chair caning, cobbling, bookbinding, painting, and some carpentry filled out the industrial course offered by the reformatory.<sup>26</sup>

Unfortunately, women could not count on finding jobs which employed these new skills, and domestic service remained the easiest job placement for released inmates. Davis noted with some



## 134 / THEIR SISTERS' KEEPERS

annoyance that while employers claimed that they refused to hire her inmates in industry because they feared "contaminating other employees," they didn't hesitate to take these same ex-prisoners into their own homes where they would be intimates of their children. By 1909 Davis acknowledged that "A large proportion of our girls go to domestic service and others go to their homes to do or assist in domestic service and homemaking." Like her contemporaries who wanted to elevate traditional women's work to a profession, Davis placed training for these tasks in the category of "domestic science" and offered them in a new "Industrial Building."<sup>27</sup>

Another of Davis's innovations, "Fresh Air Treatment," applied the Progressive era "back to nature" impulse to women prisoners.<sup>28</sup> Female criminals, Davis argued, even more than male, suffered from physical and mental deterioration. Fresh air, sunshine, and outdoor occupations would rebuild their bodies and their nervous systems.<sup>29</sup> Thus, on summer evenings Bedford inmates could remain outdoors until dark. During the day they could be found not only gardening, weeding, and planting, but also raising poultry, breeding stock, and slaughtering pigs. At first, Davis admitted, it seemed to the prisoners like "man's work," but once the female officers took part, the inmates followed suit. Besides gardening and farming, they learned masonry, built a road, painted the institution, built a conduit for a new steam laundry, and harvested ice in the winter.<sup>30</sup> Journalists, judges, and other visitors often marvelled at the sight of women grading an embankment or draining a swamp.<sup>31</sup>

Like Katharine Davis in New York, the new superintendent of the Massachusetts women's prison, Jessie Donaldson Hodder, brought innovative ideas to women's prison reform. An unconventional past had brought Jessie Hodder to this career. During the 1890s she studied music in Germany and lived with a young American philosopher, Alfred Hodder. The couple had two children. When her common-law husband abandoned his family to marry one of his Bryn Mawr colleagues, Jessie Hodder, left stranded in Europe, had to fend for herself and her children. Her friends in Boston, Elizabeth Glendower Evans and Alice James, helped her return to America and find work. After serving as a matron at the Lancaster State Industrial School for Girls, Hodder began counseling unwed mothers at the Social Service Department of the Massachusetts General Hospital. In 1910 she became the superintendent at the Framingham, Massachusetts, reforma-

tory, where she "brought a new education and scientific spirit to bear."<sup>32</sup>

Hodder thought of herself as the first of a new generation of administrators at Framingham. The founders of the women's prisons, she once wrote, had limited their sights to religious conversion and the maintenance of order. Even her immediate predecessor "came into the institution in its experimental years, when it was believed women could not handle 'women criminals.'" But Hodder had different goals. Like Katharine Davis, she wanted to modify institutional controls and individualize treatment.

Hodder's first annual report urged that the word "prison" be struck from the institution's name and that in the future the term "prisoners" should be replaced by "women." She succeeded in having the name changed to the Massachusetts Reformatory for Women in 1911 and described "joyous hand-clapping" and "sobs" by the women following the ceremony.<sup>33</sup>

But it was not merely the term "prison" that bothered Hodder. She raised severe criticisms about the building, the atmosphere, and the treatment at Framingham. For years, superintendents' annual reports had dutifully repeated the same platitudes about uplift and harmony; rarely did they question the function of the reformatory prison. Hodder's reports, in contrast, blasted her new home and claimed that the reformatory "is disintegrating." She called the Framingham facility a "big shut-in house" and requested a special state appropriation to transform the structure and change its routine. Either the institution should be remodeled, she argued, or, having outlived its usefulness, it should be abandoned. For a superintendent to suggest the closing of her own institution was an unusual recommendation, particularly since reformers had once been so defensive about their prisons. But in Hodder's opinion the Massachusetts reformatory was not fulfilling its potential as a superior home for women prisoners. Rather, it had "standards of care, education, industrial training, individual comfort and development . . . far below those for men in men's prisons and reformatories."<sup>34</sup>

To improve the physical plant, Hodder called for enlargement of the campus, transformation of the old cell block into a gymnasium, and the establishment of several outer cottages (including one for the feeble-minded), with no walls enclosing them. Treatment should be adapted, she suggested, by separating old and young inmates, diversifying occupational training, replacing moral

reform with academic training, and providing more outdoor recreation. Eventually she wanted to develop the reformatory into an "Industrial Training Institute for Women."<sup>35</sup>

Hodder also hoped to establish a "scientifically equipped clearing house" like that at Bedford Hills and a separate division for women who required psychological treatment. Unfortunately, she did not chance upon a Rockefeller to support her plan "to study prisoners and criminal motivation." She did try to segregate the most unstable women within the institution and hired women trained in criminology to help her. In 1913 she appointed Edith R. Spaulding as resident physician, and she invited Harvard students to use the reformatory as a summer clinic for their course on the psychology of delinquency. But Hodder's larger dream of making the reformatory "a laboratory of criminalistics" was frustrated; her requests for state funds were repeatedly ignored or denied.<sup>36</sup>

Hodder had limited success in implementing her plans for diversified training. By 1915 she had expanded the reformatory school beyond mere literacy classes. She had organized physical fitness programs, although her request for a gymnasium was not filled until 1925.<sup>37</sup> Inmates could also train in "scientific farming." But for the most part the old school of domesticity survived. Hodder repeatedly called for the institution to reject traditional domestic training and "to develop vocational training for the women,"<sup>38</sup> but her requests for an integrated program of classes and shops for industrial education went unheeded.

Transforming an existing institution like Framingham with any but minor, inexpensive changes proved far more difficult than starting a program from scratch. Hodder had more success influencing the new women's reformatories authorized in several states. Both Hodder and Davis advised the selection of land for the Connecticut state reformatory in 1917, and Hodder served temporarily as an "advisory superintendent" for the institution.<sup>39</sup> The impact of her ideas can be seen as well in the thirteen women's correctional facilities established between 1900 and 1920. All adopted the titles of reformatory, state farm, or industrial school, and over half of them required the cottage plan by law (see chap. 8, table 6).

The New Jersey women's prison offers a good example of the influence of Hodder and Davis on new institutions, as well as of the limitations of the Progressive-era experiments. After a decade of agitation led by state women's clubs, in 1910 the New Jersey legislature established a female correctional institution. It opened

in 1913 to house women formerly held in the state penitentiary who were considered suitable for reformatory treatment and women sentenced directly from the courts. Although its official title was the New Jersey State Reformatory for Women, it was known as neither a prison nor a reformatory, but as “Clinton Farms.”<sup>40</sup>

An “anti-institutional” structure was adopted at the outset. Built on over 300 acres in a rural setting, Clinton Farms used the cottage plan, at first with the original farm houses on the site. Eventually ten specialized cottages were opened, including those for honor inmates, black women and their infants, white mothers and infants, and problem cases. Inmate self-government began in 1914, partly because there were so few staff members that prisoners themselves supervised groups at farm work. Several years later, superintendent Mary Belle Harris recalled, inmates continued to work on their own. An elected inmate government took over when the cottages opened, and annual reports stressed its importance for morale and inmate self-respect. Training consisted of outdoor farm work and domestic science, with institutional sewing and a beauty school added after 1930.<sup>41</sup>

In New Jersey, as in New York, Massachusetts, and Connecticut, reformers attempted to transform women's prisons into more “anti-institutional” institutions. The choice of names, cottage systems, inmate self-government, and outdoor work did offer more freedom of movement to inmates than nineteenth-century prisons had allowed. They did not, however, meet the goal of the new penology that prisoners learn how to live outside of the institution. As in the first women's prisons, the training programs indicated the deep resistance to preparing women for roles in a modern economic system. Although increasing numbers of working women engaged in clerical and service jobs during this period, the new state reformatories adopted the farming model set by New Jersey and continued to rely on domestic science as a mainstay of training.<sup>42</sup> Outdoor work and recreation served to improve the prison environment, but did little for prisoners' lives after their release. In addition, serious problems at each institution made even the new penology unworkable before long.

### **Obstacles to Reform**

Despite the achievement of structural modifications in women's prisons during the Progressive era, the institutional histories for

this period resemble the earlier pattern of unfulfilled visions. Some states simply failed to adopt Progressives' recommendations, as in Massachusetts. But even in new institutions, persistent obstacles undermined the "anti-institutional" reforms. Bedford Hills provides a disheartening example of how even the best laid innovative plans were thwarted by judicial sentencing policies and legislative appropriations that were incompatible with reformers' methods.

From its opening, Bedford Hills suffered from its own good reputation. It became a popular place to send "incurable" women. Early administrative reports complained that habitual drunkards sentenced there by the courts would harm the institution more than it could help them. At the request of the Women's Prison Association and other reformers, New York established a separate state farm for women alcoholics in 1908.<sup>43</sup> Meanwhile, however, Bedford Hills's jurisdiction was expanded. By 1906 Katharine Davis began to notice a marked change in the kind of inmates committed by the courts. More New York City women, whom she considered the most difficult cases, entered the reformatory. Over the next few years she noted the burden of women who were mentally defective, venereally infected, or addicted to drugs. Other officials also pointed out an increase in the number of foreign-born, illiterate prisoners, especially the large percentage of Jewish immigrants. Davis feared that the "tendency of committing difficult women if continued will make our problems harder as it takes longer to get them in condition to profit by mental and industrial training."<sup>44</sup>

Both cutbacks in appropriations and increases in the number of women committed annually aggravated these problems. After 1909 "the most rigid economy" prevented the expansion of buildings and services. Serious overcrowding resulted, including the doubling up of inmates in rooms and the use of hallways for dormitories. These arrangements in turn added to the existing tensions within the institution over sexual relationships between inmates. Officials blamed the overcrowding for what they called "abnormal attachments" which were "not an uncommon manifestation" by 1911.<sup>45</sup>

Although overpopulation and underappropriation contributed to Bedford's problems, the Progressives' own policy of extrajudicial reform created a dilemma for the prisons. Both probation (suspended sentence with supervision) and parole (early release) meant that the most hopeful cases either never went to an insti-

tution at all, or left as soon as possible. Any available rooms went to women without enough promise to merit probation. Those who were sentenced to the reformatory, Davis found, often needed a longer time "to adjust" to the institution. Many had to overcome their dependencies on liquor or drugs; others had to improve debilitating physical conditions before they began classes or vocational training. At the same time, overcrowding of the reformatory hampered the operation of the parole system. Whenever the inmate population became too large, the managers felt pressured to reach the "limits of propriety in granting parole." This policy undoubtedly increased the number of parole violators who returned to the institution.<sup>46</sup>

The problems of underappropriation, overcrowding, and the sentencing of difficult inmates were peaking around 1910, when Davis got Rockefeller to locate his Bureau of Social Hygiene at Bedford Hills. With the opening of the laboratory, some of the reformatory's difficulties seemed to subside. Now inmates were screened before entry, to isolate problem cases. The hospital for psychopathic delinquent women later segregated potentially disruptive cases. The presence of qualified psychologists and nurses supplemented the institution's own staff. During this period inmates and staff adjusted in spite of difficulties, but once Davis resigned in 1914 to become New York City commissioner of corrections, the institution deteriorated rapidly.<sup>47</sup>

A 1915 investigation revealed the serious tensions in the institution. Overcrowding, all agreed, presented the major problem. The facility housed over 100 more inmates than it could comfortably accommodate. Beds appeared in halls, the gymnasium, and wherever else possible. Overcrowding was complicated by the number of women who required some custodial care. The original system of classification had practically broken down. Furthermore, insufficient appropriations necessitated a monotonous diet and a poorly kept physical plant.<sup>48</sup>

Racial and sexual tensions at the reformatory first came to public attention through the 1915 investigation. Black and white women had lived in the same cottages at Bedford Hills because Katharine Davis had refused on principle to segregate the races. By 1915, with a larger number of black women sentenced from New York City, and a host of totally unrelated problems confronting Bedford Hills, investigators cited Davis' policy of integration as a source of the reformatory's ills.<sup>49</sup> The problem, however, was not one of racial antagonism, of which no evidence appeared. On

the contrary, it was the revelation of homosexual attachments between black and white inmates that proved a source of embarrassment for the administration. Assistant superintendent Jessie Taft testified that sexual immorality was "the foundation of most of the trouble along disciplinary lines." She further explained that "there is no denying that the colored girls are extremely attractive to certain white girls."<sup>50</sup>

According to James Wood, president of the board of managers, lesbian relationships were nothing new at Bedford Hills. "The practices referred to have obtained to a greater or less extent during the whole existence of our institution," he said. Although the opportunities for sexual contact "have been much more frequent and general in the past year or two, because of our overcrowded condition," he felt that little could be done besides the usual attempt to separate inmates "in every case where these abuses have been discovered." Others, however, seized on the revelation to demand that the black inmates be segregated in separate cottages. Jessie Taft claimed that "Two institutions, I think, is the only thing that could really take care of it; two separate institutions in separate places." Wood later agreed that only complete segregation would prevent interracial sex.<sup>51</sup>

To what extent this episode reflected the increasing stigmatization of homosexuality in the society at large and to what extent it simply masked racial discrimination, is impossible to judge.<sup>52</sup> As Wood indicated, lesbian relationships between inmates had been common, even if not commonly acknowledged, while Davis ran the institution.<sup>53</sup> Now, however, either the taboo against interracial sex surfaced as a stronger one than that against homosexuality (for surely intraracial sex would continue), or the entire incident served as an excuse to segregate black women. The investigator's final report concluded that "While the committee makes no objection to this [integrated cottages] because of the color line, it is undoubtedly true that the most undesirable sex relations grow out of this mingling of the two races." In 1916 the annual report announced that two new cottages for black women had opened, allegedly at the written request of the Negro inmates.<sup>54</sup>

Besides channeling the blame for institutional problems onto blacks and lesbians, the 1915 investigation provided recommendations to improve Bedford Hills. It called on judges to exercise more care in screening commitments and asked the state to establish custodial asylums for female mental defectives. The report

also recommended better management, an improved dietary plan, and the extension of self-government and recreation. Managers' best hopes rested on a new farm they had secured to offer more outdoor work, and on the nearby Laboratory of Social Hygiene, with its unit for psychopathic women.<sup>55</sup>

Whatever improvements these recommendations brought proved insufficient to restore the reformatory. By 1919 a new investigation reported a "failure to solve the real difficult problems of the institution." The trial of a former inmate had exposed "cruel and unusual punishment," such as "stringing up" inmates with handcuffs and a form of water treatment. New charges of mismanagement were leveled, and the familiar issues of overcrowding and mentally defective inmates surfaced. The administration placed some of the blame on the closing of the Laboratory of Social Hygiene, which neither Rockefeller nor the state would fund after 1918.<sup>56</sup> After its closure Bedford Hills had to contend with a new set of problems, the classification and treatment of women formerly handled by the laboratory.

By 1920 all efforts had largely failed. A combination of the closing of the laboratory, changes in inmate population, and revised probation and parole policies had undermined Bedford's innovations. The institution, the investigation concluded, "while serving in a very limited degree its original purpose, is in the main not a reformatory at all." Instead of the population of first offenders originally expected, their verdict continued, "the beneficent operation of the suspended sentence, probation laws and various social and religious movements have picked up from the courts a very large population of the accidental and even intentional first offenders. Young women are only sent to Bedford when . . . [they] could not be helped by probation. . . ."<sup>57</sup>

By 1919, the reformatory population at Bedford Hills consisted largely of recidivists (100 out of 167 inmates). About 75 percent of the prisoners were prostitutes, 70 percent had venereal disease, a majority were of low mentality, a significant minority needed custodial care, and 10 percent were psychopathic. With a "heterogeneous population largely drawn from the lowest strata of New York City life," Bedford Hills could no longer be the showcase that Katharine Davis had envisioned and struggled to achieve.<sup>58</sup> The final blow to the ideals of women's prison reform came in 1921 when, for the first time in the history of the movement, the state appointed a man, psychiatrist Amos Baker, as superintendent at Bedford Hills.<sup>59</sup> If the Progressive response could have succeeded



142 / THEIR SISTERS' KEEPERS

anywhere, Bedford Hills was the likely site. The failure of this most promising experiment in structural change and diversified training highlighted the irony of the new penology. The logic of environmentalism called for societal change, not institutionalization, to reduce crime. Instead, new, extrainstitutional criminal justice procedures were founded to prevent delinquency, and institutions were expected to rehabilitate those who slipped through its network. The two methods, however, did not work well together. Probation and parole left the reformatory with the most difficult inmates. Reformers like Katharine Davis struggled to reinvigorate reformatory treatment, but they waged a losing campaign. In the case of Bedford Hills, and in later years at the newer state farms and reformatories, no amount of internal reform could resolve the dilemmas presented by institutions of last resort.