

# HOUSE . . . . . No. 41

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## The Commonwealth of Massachusetts.

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DEPARTMENT OF CORRECTION,  
STATE HOUSE, BOSTON, November 30, 1926.

*To the General Court of the Commonwealth of Massachusetts.*

In compliance with section 33 of chapter 30 of the General Laws, as amended by section 43 of chapter 362 of the Acts of 1923, I have the honor to submit herewith such parts of the annual report of the Department of Correction for the year 1926 (Pub. Doc. No. 115) as contain recommendations for legislative action, with accompanying bills.

Respectfully yours,

SANFORD BATES,  
*Commissioner.*

## RECOMMENDATIONS

## 1. MASSACHUSETTS REFORMATORY ANNEX.

The same need exists for the establishment of an annex to the Massachusetts Reformatory, and I give below my recommendation of 1926:

The Massachusetts Reformatory, now located at Concord Junction, is regarded as one of the finest institutions of its kind in the country. The Commonwealth has a large investment in property and equipment at this place and provides industrial training and schooling, military drill and classroom instruction for young men convicted of crime.

The original intention of the proponents of the reformatory type of penal institution was to sort out from the prison population the first offenders and men of less mature years and give them a course of training along disciplinary lines. The development of probation in this state has, properly enough, taken a large number of the hopeful cases out of this institution. On the other hand, the development of the parole system gives all of these inmates a chance to try themselves out after a term in the reformatory, and provides for a return to the institution as penalty for failure to succeed in parole. It is inevitable that a number of those sent by the court to the reformatory and subsequently paroled should fail to profit by the training which they receive, and in the case of many men returned after such failure, it is readily apparent that they should not be classed with the men coming to the reformatory for the first time and upon whom the discipline of the institution will have a good effect, provided it is not interfered with by an improper classification.

In order to carry out the original idea of the reformatory and at the same time enforce the parole law, men who have been returned for violation of their paroles, and who are, in the judgment of the department, not proper subjects for further reformatory treatment, have been transferred to one or the other of the houses of correction where they continue serving their time upon the indeterminate reformatory sentence, but do so in a county institution.

This has tremendously relieved the situation at Concord, has made the population more homogeneous, but has put an unfair burden upon the houses of correction. The number of men so placed is now in the neighborhood of one hundred. It is difficult to handle these cases properly, spread around as they are in a dozen different institutions, and it seems to be the plain duty of the state to provide one receptacle for them, which might well be managed as a department of or annex to the Massachusetts Reformatory.

The vacant house of correction at Fitchburg, now the property of the county of Worcester, suggests itself as a suitable place to try out this classification. Formal negotiations have been had with the County Commissioners of Worcester County, and they are willing to lease this property to the state on reasonable terms.

England has carried out a scheme similar to the one outlined above in connection with the operation of her Borstal (reformatory) institutions. Men who do not make good on parole are not returned to be mixed with the first offenders, but are kept separate, in a part of the Wormwood Scrubs Prison.

In addition to the above reasons, the adoption of the legislation herewith recommended would greatly relieve the counties from caring for cases which are not properly theirs, would greatly facilitate the work of the Parole Board, and would provide the necessary training for this class of delinquents.

## 2. IDENTIFICATION OF CRIMINALS.

The accompanying amendments are necessary to make possible the identification of certain classes of criminals and those persons held in jail awaiting trial which the present law does not completely cover. Experience has demonstrated that this amendment is necessary for the further protection of the public.

## 3. INDUSTRIES AT PRISON CAMP AND HOSPITAL.

The use of an accumulated surplus in the Prison Industries Fund, so called, is restricted by Chapter 128, Section 71, to the State Prison, the Massachusetts Reformatory,

the Reformatory for Women and the State Farm. I recommend that all the penal institutions under this department be placed on the same basis, thus making the Prison Camp and Hospital subject to the same provision, and I offer an amendment to this effect.

#### 4. PURCHASE OF LAND AT THE MASSACHUSETTS REFORMATORY.

It is desirable, from the point of view of discipline at the Massachusetts Reformatory, that certain small portions of land adjacent to the land now owned by the Commonwealth be acquired for the use of the reformatory, and a bill authorizing the purchase of the same is herewith presented.