

HOUSE No. 985.

Commonwealth of Massachusetts.

VIEWS OF THE MINORITY OF THE COMMITTEE ON PRISONS ON THE PETITION OF WILLIAM LAWRENCE AND OTHERS FOR LEGISLATION TO PROVIDE FOR THE CONTROL OF JAILS AND HOUSES OF CORRECTION BY THE COMMON- WEALTH.

I respectfully dissent from the adverse report of the majority of the committee on Prisons, concerning the House Bill No. 324, being an act to provide for the maintenance of jails and houses of correction by the Commonwealth, and submit herewith my reasons.

I believe that the State control of all prisons would result —

First — In a far better system of prison management ;

Second — In a great benefit to the prisoners ;

Third — In a corresponding reduction of crime ;

Fourth — In a saving of expense to the Commonwealth.

In regard to prison management, the present system (or lack of system) seems to me very unbusinesslike and almost absurd. The sheriff keeps the jail or house of correction himself, or appoints the keeper or master. He is nominally responsible for its management, but the county commissioners control the supplies. The county commissioners have the general oversight of the administration of affairs, and may make rules to govern it, but have nothing to say about the appointment or removal of officers who are to ex-

ecute the rules. The prison commissioners may make rules, superior in authority to those of the county commissioners, and have power to supervise and inspect; but they have nothing to say about the appointment of officers, or about any matters involving expenditures of money. The industries of the house of correction touch vitally every part of its discipline and administration, and affect the financial results; but the sheriff, if he acts as master, has no power over labor matters, except with the approval of the State superintendent. If the house of correction is in the hands of an appointed master, he is not responsible for the industries, to the sheriff who appoints him, or to the county commissioners having supervision of the institution; but a State official controls all labor matters, and on his approval the county treasurer must pay all bills for the purchase of tools, implements and materials used in the industries. The master employs such instructors in the industries as the State superintendent approves, county officials having no voice regarding the number or salaries of such persons. The commissioners of prisons and the general superintendent of prisons are entirely independent of one another, and have no official relations. How can good government and economical management be expected with such a division and confusion of responsibilities and powers between the State and county officials? All this would be remedied by the present bill, which places upon the prison commissioners full responsibility and makes all prison officials responsible to them.

The benefit to the prisoners spoken of would be brought about by their classification. This classification would be as to sex, age, length of sentence, degree of criminal offence, and criminal record. The state has already commenced this work by the establishment of the two reformatories and the State Farm. The results here have been highly beneficial, and it is desirable that all the prisoners in the state should be so classified, especially as there are so many among its misdemeanants that are hopeful material for reformatory treatment. The whole number of prisoners in all prisons on the 30th of September, 1898, was 7,451, distributed as follows: State Prison, 834; Reformatory Prison for Wo-

men, 278; Massachusetts Reformatory, 947; State Farm, 729, and in the county jails and houses of correction, 4,663: 6,391 were males, and 1,060 females. The four institutions mentioned are managed by the State, prisoners being committed from all parts of the State, and the expense of the management is borne by the Commonwealth. In addition, there are twenty-two county jails or houses of correction. The prisoners are committed to them for offences committed in the county in which the prison is situated. The expense of the construction, as well as the management, is borne by the respective counties. In two of these prisons, there were no prisoners at the date of the last report of the Commissioners on Prisons, while in eight other prisons there were less than one hundred prisoners. In these county prisons, prisoners of all ages, of both sexes, and those committed for nearly every offence are confined. It is self-evident that classification under such circumstances is practically impossible. The present law allows the prison commissioners to transfer prisoners to and from the various prisons, but with the embarrassing condition that the county from which the prisoner is transferred shall pay for the keeping of the prisoner. Should this bill be enacted, the expense of maintenance, as well as construction, would be borne by the State. One or more county prisons would be set apart for the exclusive occupation of women; others for minor offenders, including those sentenced for misdemeanors; and still another to be managed upon lines similar to the Massachusetts Reformatory. A large proportion of the commitments to the county prisons belong to the second class above mentioned. If they could be confined in those county prisons owning vacant land adjacent or obtainable, instead of being crowded together in prisons of small area, as is done in East Cambridge and to some extent at South Boston, I believe great good would result. An example of what might be done in this direction is shown at the State Farm at Bridgewater. The younger men should receive indeterminate sentences, and be placed under reformatory influences, as is now done at the State Reformatory at Concord. Male and female prisoners should be kept in separate prisons. At present there is no county prison for women ex-

clusively. There are 19 where both men and women are confined, and in three of these there is no matron, the women being under male officials. This should not be, and will not be, in future, if the present bill passes. Besides all these advantages, a uniform system of management would be secured, not alone as to food and clothing, but as to discipline, length of time to be served and the circumstances under which releases upon parole would be granted. At the present time the prison commissioners grant permits of release from the four State institutions; the county commissioners also do for certain offences, from the county prisons, and the institution commissioner does from Suffolk County houses of correction. That a single board could perform this duty more efficiently and under a uniform system, I submit.

It is but fair to look at the result in England, and draw our conclusions as to corresponding results here. Prior to 1877, the same system existed in England as in this State, and the jails were unspeakably bad. In 1873, the agitation began for a change, and in 1877 State control began, and since then all has changed and the prisons of England are now the models of the world. Expenses have greatly decreased, the prisoners are much better cared for, and crime has been much reduced. In 1877, there were 113 county prisons. That number has been reduced to 56, and this year three more large prisons will be closed. I believe a like or better result will ensue here if the present bill passes. I therefore report that, in my opinion, the bill ought to pass.

FRANK E. FITTS.