

SUPPLEMENTAL FACTS REGARDING LABOR CONDITIONS AT THE NEW JERSEY STATE PRISON

New Jersey State Prison,
Trenton, N. J., Jan. 24, 1913.

To Honorable Woodrow Wilson, Governor of New Jersey, and the
Honorable Members of the New Jersey Legislature, Trenton, New
Jersey:

Sirs—I desire to present to you a supplementary report placing emphasis upon some important requirements and absolute needs at the New Jersey State Prison, which should now be given attention, and which were only touched upon in my annual report. The time has arrived when provision should be made for these necessities, which cannot longer be delayed and should not be neglected or overlooked.

One of the primary or fundamental principles of good prison government is the continued employment of the inmate, with due regard for proper restrictions and humane treatment. It has always appeared to me that society had lost sight of its duties and responsibilities to the convict, whose welfare and advancement has been placed in the State's charge and keeping.

The management and conduct of our penal institutions for the betterment of the criminal is an intricate and far-reaching subject, and only until recent years has there been an awakening in the minds of a very limited few as to the duties that are involved in solving this problem. That the steady employment of the inmate is an admitted necessity goes without saying, but the nature of employment and the means at our command for such employment is the pertinent question you now have before you for consideration and attention.

It is true a commission has been appointed to formulate a plan for the employment of convicts upon the public highways, and to create a "State use" system, but of these I will speak later. In the meantime it must be borne in mind that a former Legislature has required by statute that all contracts are to cease at the expiration of the existing contracts now in force, which will occur before any future Legislature can make provision for another form of employment other than that which may be pointed out by the Prison Labor Commission.

CONVICTS SHOULDN'T BE IDLE.

I wish to state concerning the contract system which has been in vogue in this and a number of other penal institutions throughout the country for many years that it is growing in disfavor, and for substantial reasons, too. Those of us who are familiar with the operation of the system are compelled to admit its deficiencies. But by all means continue the contract system for an indefinite period, under adequate restrictions and humane regulation, until a better system can be devised and put into actual execution, wherein the moral, mental and physical welfare of the inmate cannot be too seriously impaired by prolonged idleness.

I take issue with the proposition that as a substitute for the system that the men be kept in idleness until a new and better system can be devised and perfected. It has been pertinently observed that "an idle man's brain is the devil's work shop," and besides this the keeping of the men in the narrow confines of the prison cell not only leads to most pernicious practices but has a tendency to drive them to insanity and suicide. I recall when the New Jersey State Prison was compelled to confine its inmates to the cells for an extended period and during that time more men became insane than during any other period of equal

duration. Words cannot adequately express the horrors that resulted from this action.

Those of us who are acquainted with prison life know that the prison population is made up of all shades and conditions of the human race. There are some skilled workmen in the various arts, callings and trades, who are abundantly able to render valuable service in their particular lines of work and who are ready and willing to do whatever is required of them. On the other hand, there are the defectives, mentally and physically, and the moral perverts who have neither the ability nor disposition to work, and who would rather be punished than work.

When this condition of affairs is considered, it will be plainly seen that the matter of solving the labor question is not a simple one. I am impressed with the thought that this is a question of national importance and very far-reaching in its effects, and that its consideration should be committed to a commission of broad-minded and capable business men, whose duties should be to investigate the conditions in the several States of the Union and report their findings. It is a question that cannot be settled in a day nor can it be solved by theorists with their fads and fancies. I want to emphasize the importance and the necessity of placing this matter in the hands of broad and liberal men.

The day is dawning when society must realize that our dealings with those who have made mistakes, and the delinquents, should not be conducted in a spirit of revenge and vindictiveness, because such a course is unprofitable from every viewpoint. We should all learn to know that there is a higher and a more important duty for us to perform in respect to these unfortunates.

SYSTEM IS AT FAULT.

These observations and suggestions are not intended in the light of censure of the management of any of our institutions or to those who have been appointed to formulate plans. The trouble lies with the system and the laws affecting the management and control of our penal institutions, and there are those of us who have come in practical touch with prison life and know whereof we speak.

I have given considerable thought to our contract system, to which I beg leave to refer again, and which is becoming a live topic in many sections of our republic. That the system has its defects and is justifiably criticised must be admitted. It may also be truthfully said that under present conditions and methods it is a financial failure. The records for the fiscal year ending October 31, 1912, show that the expense of operating the prison for a year was \$278,635, and the proceeds arising from the sale of prison labor under the said system was \$94,109, leaving a deficit of \$184,525. Under ordinary conditions, this would be said to represent a failure from a financial point of view. These are items which materially concern the taxpayers of the State, and if a better system can be evolved, it would appear that steps should at once be taken looking to that end.

It is further contended by some who have given the matter thought that the inmates of the prison are too vigorously worked with too little consideration for their physical and mental welfare. It may be that there is some force to this argument, but the same thing may be said with more or less truth regarding many of our manufacturing concerns. Most men are inclined to obtain as much for their money as the nature of the case will allow. But this item of expense to the State is not the vital question involved. If under our laws governing prison management and regulation, and with new grounds and buildings of greatly increased dimensions and modern equipment, we can advance the well-being of the inmate through the influences of suitable and remunerative labor; insure the stability of his physical condition by reason of fresh air, sunlight and recreative exercise; advance his mental and moral condition through the processes of competent educational and moral instruction, and change the prison atmosphere from a virtual

hot-bed of crime to one of advancement and enlightenment, the responsibilities to the State would be materially lessened and the prison population would grow wonderfully less in comparison to the natural but rapidly increasing population of the State.

NO ROOM FOR EXERCISE.

These conclusions I might say relate to the general prison situation throughout the United States, while in the case of the New Jersey State Prison there is scarcely a parallel within our domain that presents the same difficulties to be met and overcome. As stated in my original report, within an area of less than five and one-half acres are located all the buildings of every description for the housing and employment of inmates numbering 1,520 at the present writing, with the number gradually increasing. When our contracts cease, which the Legislature through enactment has decreed shall cease in the early part of 1914, and without a fixed plan in operation (unless consummated by the present Legislature) for the utilization of our shops or the space which they occupy and for the employment of prisoners, there will be nothing to do but lock the men in until some other method is adopted for their betterment. In the meantime, we have not even the ground space to offer them fresh air or the exercise necessary to prevent our prison population from gravitating to the serious depths to which I have previously referred.

I have also called attention in my original report to the fact that we are seriously overcrowded and are greatly exceeding our cell capacity in housing the men in direct violation of the statute, and this difficulty cannot be overcome nor the necessary improvements made in the narrow confines of our present prison site, which will not admit of enlargement. The grounds cannot be increased sufficiently, either, in the present location to meet the present-day requirements, to say nothing of any increase which the future may bring forth.

Our prison capacity is entirely inadequate at the present time to provide for the large number committed to our care and custody, and immediate steps should be taken looking to the selection of a proper prison site whereon to erect more commodious buildings with an eye to the proper employment of the men in useful trades and in agricultural pursuits. Before the contracts expire a liberal beginning can be made with this suggested change, which will provide temporary employment for a number of men. Then with the contracts continued indefinitely, the men could be kept at work therein until permanent provision for other work could be arranged for at the new prison site. By this method it can be seen that no cessation of employment would be necessary, and in a reasonable time the contracts would gradually terminate and during the same period provision for permanent employment could be made on the newly-acquired property without necessitating a break in the continuous working of the men.

CONVICTS ON HIGHWAYS.

I wish further to call your attention to the proposed plan of working our convicts on the public highways. In reference to this employment for our prison population it will be necessary to make an appropriation to cover the expense incident to the guarding and for the care and housing of these men in the open. It is also a question as to what number of these men and to what extent they can be employed to advantage in this particular. You must bear in mind that by this course you are coming into direct competition with a class of unskilled labor not qualified to perform any other character of work. When such men are driven out of employment they will naturally gravitate to idleness and the commission of crime which would result in the increase of our prison population and increase the burdens upon the taxpayer. If such a course were adopted, it would be necessary to enact further legislation to relieve the principal keeper of responsibility for the care and custody of the men while beyond his direct and personal supervision.

I will now refer to the proposed "state use" system and say that primarily this plan cannot be entered upon until the expiration of the present contracts, in so far as actual execution is concerned, because we have not the space nor the territory for this purpose. First of all, an appropriation must be made for the purchase of the necessary machinery and for the employment of competent and skilled instructors in the various forms of manufacture, and then with the vast number of men to be employed to the "state use" requirements, will scarcely make an impression on the large number of men for whom we are endeavoring to arrange employment.

It is my belief that the situation can be greatly relieved by the enactment of a more liberal parole law which will stand the constitutional test. I am convinced that we have many men in confinement, who, if set at liberty, under proper restrictions and regulations as to their future conduct, would not only be a relief to the taxpayers of the State but would be a benefit to themselves, to their suffering families and to society at large. Why burden the taxpayers with the support of these men when they are capable of maintaining themselves and their families?

FAVORS THE FEDERAL LAW.

It is my belief and I recommend the enactment of a law similar to that adopted by the United States Government dealing with this identical class of men. The rule adopted by the government is, that first time men shall be paroled after the service of one-third of their time. In support of these recommendations and conclusions, I again refer you to our congested conditions herein set forth, and also quote an editorial appearing in the Saturday Evening Post of the issue of December 14th, 1912, which is significant of the advantages to be derived from liberal parole laws, and which reads as follows:

"Since 1893 over sixteen hundred convicts have been paroled from California penitentiaries. Eighty-five per cent. have 'made good'—only two hundred and forty-nine out of the whole number violated the conditions of their parole by leaving the State, failing to report, entering saloons or otherwise. Of the two hundred and forty-nine, one hundred and fifty-three were returned to prison; but only twenty-two of them had committed new crimes—being a fraction over one per cent. of the total number paroled.

"The report from which these figures are taken shows that paroled prisoners have earned over one million dollars, and out of their earnings have saved more than two hundred thousand dollars. In a recent typical month, out of four hundred and sixty-five men on parole not one was idle; and their aggregate earnings for the month was just short of seventeen thousand dollars.

"The annual report of the New York Prison Commission shows that since 1900 nearly four thousand prisoners have been paroled of whom roughly three-quarters have complied with the terms of parole—which require that the man shall keep sober, keep at work and make periodical reports. 'These figures,' the report adds rather naively, 'show that, except for parole, our prisons would be congested beyond reason.'

"They show also the incredible folly of keeping themselves under lock and key a great many men who would behave themselves, earn a living and help support those dependent upon them if they were given a chance."

Now, as before stated, our State's prison has been conducted at a loss to the taxpayers of this State to the amount of \$184,525 for the year just ended, and in consequence of our overcrowded and congested conditions, why not do something in the way of legislation to diminish the tax rate and at the same time give the deserving men an opportunity to rehabilitate themselves and maintain their families?

Respectfully submitted,

THOS. B. MADDEN,
Principal Keeper.