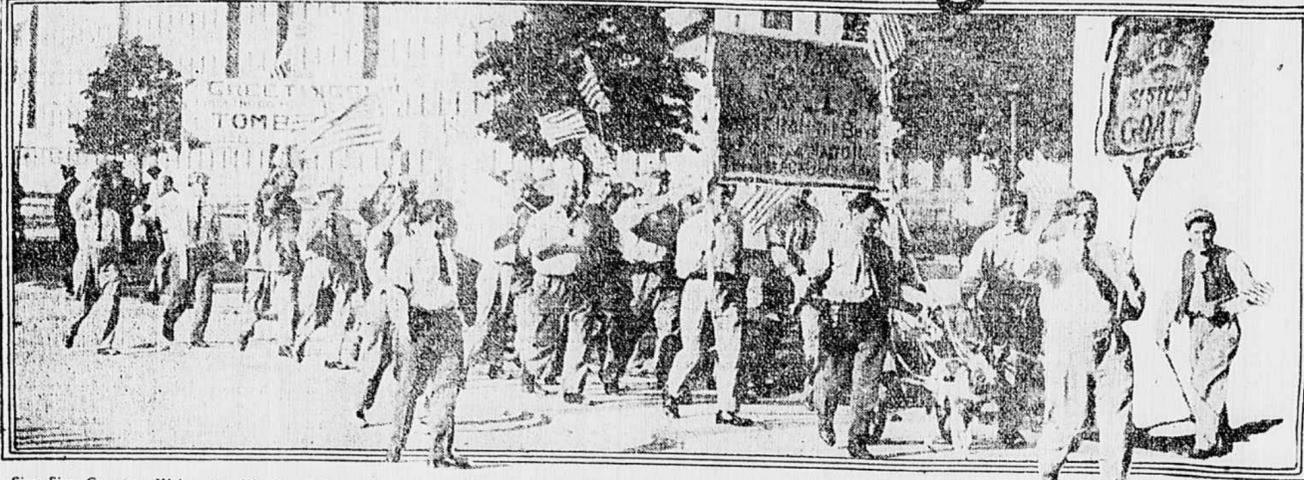


New York's Last Stronghold of Prison Barbarism

Osborne's Revelations of Onondaga Prompt the First Time His Plan for Criminals a Which the Underworld



Sing Sing Convicts Welcoming Warden Osborne Back to the Prison Upon His Recent Triumphant Return. It Will Be Noticed That There Is Nothing About the Clothes or the Actions of These Men That Stamp Them as Thieves, Forgers, Murderers, and so on, Set Apart for Punishment. Warden Osborne Explains in His Article Upon This Page Why He Has Done Away With All the Outward Badges of the Convicted Criminal.

On the 16th day of June in this present year of alleged civilization 1916, the State Commission of Prisons of the State of New York, the most important commercially of all the States, a State with a larger number of schools, colleges and philanthropic institutions per capita than any other in the Union reported that in the Onondaga County Penitentiary, in which were confined prisoners from more than seven surrounding counties as well as United States prisoners, the following conditions existed:

Prisoners are compelled to wear the old style striped prison clothes within the institution, while at work in the quarry and on the road the use of these stripes being approved by the superintendent.

There are no written rules and regulations as to different offenses within the institution, nor stated penalties attached to the commission of offenses, and the superintendent and assistant superintendent exercise absolute power in deciding the acts which constitute offenses and the nature and extent of the punishment imposed. As a result prisoners are punished for violation of rules of which they have no knowledge.

One method of punishment is confinement in a dungeon. There are eight dungeon cells in the cellar of the penitentiary, which is eight feet deep, seven feet of which are under ground, and the only natural light and ventilation comes from several small window slits and an area window recently installed; the cells are solid steel with the exception of a number of small round holes for ventilating purposes, which admit a little light and air into the cells, and a number of small holes in the rear of the cell, opening into a utility corridor. The cells contain an iron slab bunk without mattress or blanket, a cement floor, a sanitary closet and wash basin and have no lighting facilities. Recently the superintendent has added sixty-four small holes to one cell and painted its interior white. Prisoners are confined in these dungeon cells from a few hours to seventeen days. The only food which they receive is one slice of bread a day. Women and at least one man awaiting trial, were confined in these dungeon cells in the same cell room with the prisoners of the penitentiary. The prison doctors described these cells as unsanitary.

Prisoners who have attempted to escape, or who have escaped and have been apprehended, are generally compelled to wear a chain during the remainder of their term of imprisonment—and in cases examined, from two months to ten months—while at work in the quarry, in road building and in the penitentiary, day and night continuously, riveted to the ankle of the prisoner by the prison blacksmith.

Another form of punishment is "standing on the crack," which consists of placing the prisoner on a line in the cement floor in the cell hall, with arms folded, facing the wall, for a period within the discretion of the superintendent or assistant superintendent, which ranges from a short time to twelve hours.

No recreation is provided for the prisoners. They are confined in their cells all of Sunday with the exception of the chapel services and two meals. On holidays the only period of recreation permitted is a period of exercise in the corridor of the cell hall.

No careful physical examination is made of each prisoner entering for tuberculosis and other contagious diseases. Hence, healthy prisoners eat, work and sometimes are doubled up in cells with prisoners having tuberculosis and other contagious diseases.

Prisoners are not allowed to converse at meals. Letter privileges are too curtailed, prisoners being allowed to write only one letter a month unless by special request.

There are no educational facilities for the instruction of the prisoners. 1172 illiterates were received during the year.

These are the conditions that exist in this institution, maintained by the taxes of the people of the county and by the board paid by the other counties which send prisoners to this penitentiary. For the privilege of shutting up a man convicted of petty crime with a man suffering from tuberculosis, these other counties pay the Onondaga institution \$2.10 per week! Doubling up in cells is inevitable. The penitentiary has facilities for housing 310 prisoners. The average daily population for the year was 374. The lowest number of prisoners confined on any one day was 323. The highest number was 434. In plain English, on its last crowded day Onondaga sheltered 113 more prisoners than it had room for; on its most crowded day, one hundred and twenty-four more than it had room for, and as a rule on every day of the year sixty-four more than provision had been made for. Desperate and depressed, sullen and riotous, boys and men, women and girls, first offenders and some who had served ten terms and were wise in the ways of evil and debauchery, all were huddled higgledy piggledy, the well with the diseased, the boy who was there for a rash impulse with the moral leper! And this in this present year and in the State of New York! What conditions exist in your own county jail? Men and women of this State, and of every State of the Union, what do you know of what is going on behind the stone walls of your penitentiaries? In New York, for instance, in 1914, 852 men and 82 women confined in the State penitentiaries confessed that they had served ten and more previous terms!

The Commission recommended that the striped

clothing be abolished, that copies of prison rules with penalty for their infraction be given to each English-speaking prisoner and that those who could not speak or read English be properly instructed in these rules, that the dungeons be discontinued, that chains be abolished, that "standing on the crack" be discontinued, that the well be separated from the diseased, that educational facilities be provided, and the general abolishment of all the other abuses reported. In concluding the report states:

"That the administration should realize that its full duty is not done where prisoners are simply kept from escaping and live the repressive prison life, but that systematic and sympathetic efforts be made for the physical, mental and moral improvement of the prisoners to the end that they may issue from the penitentiary better men."

There is stated the ideal that should govern the conduct of prisons. On the other hand, how is it possible that such conditions as existed in Onondaga—and conditions only slightly better still exist in many penitentiaries and county jails throughout the country—could be for a moment considered conducive to that end? What end is gained by enforcing a rule of silence, for instance? The one thing that elevates man above the beast is his ability to express himself in articulate speech, to voice his thoughts, to come into communion with other men for the purpose of comparing and criticizing thought. And we are told that we are fitting men better for life after their prison confinement by reducing them to the inarticulate state of the beast! What irony!

Mr. Thomas Mott Osborne, Warden of Sing Sing Prison, under whose enlightened administration that State prison has been transformed, discussed the prison situation as follows:

"I remember my first meal as a voluntary prisoner in Auburn Prison. We marched to the mess hall and were seated at long shelves which served as tables, everyone facing in the same direction, so that each man could see only the backs of the heads of the men sitting at the shelves in front of us. Fourteen hundred men sitting at dinner—and no sound of the human voice—it is a ghastly thing. Men will talk, and a rule of silence only brings about more or less skillful infractions. At Auburn Prison for instance, breaches of the rule of silence were the most frequent cause for confinement in the 'cooler'—the one place in the entire prison where the men could talk as much as they wanted to. Here was a rule which put a premium on its infraction. The one way to satisfy a natural craving for speech was to commit a slight offense in order to enjoy the full privilege of speech.

The Tortures of the "Cooler," the Iron Cells of Brutality

"As for confinement in an underground dungeon, let me quote what I wrote in my diary after my own experience in a 'cooler':

"The jail is admirably suited for the purpose of performing the operation of 'breaking a man's spirit'; for it has on one side the death chamber and on the other the prison dynamo with its ceaseless grinding, night and day. It is a vaulted stone dungeon about fifty feet long and twenty wide. It is absolutely bare, except for one wooden bench along the north end, a locker, where the jail clothes are kept, and eight cells arranged in a row along the east wall and backing on the wall of the death chamber. The eight cells are of solid sheet iron—floor, sides, back and roof. They are studded with rivets, projecting about a quarter of an inch. At the time when Warden Rattigan came into office there was no floor, the inmates slept on the bare iron—and the rivets! The cells are about four and a half feet wide, eight feet deep and nine feet high. There is a feeble attempt at ventilation—a small hole in the roof of the cell, which hole communicates with an iron pipe. Where the pipe goes is of no consequence, for it does not ventilate. Practically there is no air in the cell, except what percolates in through the extra heavily grated door.

"In the vaulted room outside there are two windows, one at either end, north and south. But so little light comes through these windows that, except at midday on a bright, sunny day, if you wish to see the inside of the cells after the doors are opened you must use the electric light. There are two of these and each is fastened to a long cord so that it can be carried to the farthest of the eight cells. At the south end of the room is a toilet seat and a sink with running water, where the supply for the prisoners is drawn. Up to the time of Superintendent Riley's and Warden Rattigan's coming into office the supply of water for each prisoner was limited to one gill for each twenty-four hours!

"The sink was not used for the prisoners to wash, for the simple reason that the prisoners in the jail were not allowed to wash."

"I had never imagined anything so terrible; and yet it is difficult, if not impossible, to describe to anyone else exactly why they are so. At the end of only fourteen hours' confinement I came out feverish, nervous, completely unstrung. I wrote in my diary:

"An aching, overwhelming sense of the hideous cruelty of the whole barbaric, brutal business sweeps over me; the feeling of moral, physical and mental outrage; the monumental imbecility of it all; the horrible darkness; the cruel iron wall of the death chamber at our backs; the nerve-wracking monotone of the whirring dynamo through the other wall; the filth, the vermin, the bad air; the insufficient food,

the denial of water; the overpowering, sickening sense of accumulated misery—of madness and suicide haunting the place."

"Even when there has been a genuine cause for punishment, nothing, the victim tells himself, can justify such senseless, brutal outrage upon everything sacred in humanity. For nothing whatever can justify the attempt to 'break a man's spirit.' Such a thing can be done—has been done many times in our prison torture chamber, as certain pathetic wrecks of humanity left over from the old system can testify. But is it anything else than the most atrocious form of murder? Murder of mind and soul and therefore worse than physical murder.

"But, after all, that and its kindred barbarities, the silence, the 'standing on the crack,' the absence of water at meals, compelling prisoners to subsist on the 'bootleg' coffee, are but the outstanding evils of our prison system, the symptoms of the greater, the more devastating, the more soul-destroying evils that underlie the whole theory. For, back of everything, back of the extreme tortures, back of the minor but self-respect-destroying petty punishable rules and regulations, lies the basic evil. That evil is that men and women who are not in jail regard men and women who are as other than men and women.

The "Prison Tye" That Is Made by Cruel Systems

"The statute of the State of New York states in so many words that food supplied to prisoners shall be of 'wholesome but inferior quality.' For each man in prison the State allows exactly 13 1/2 cents' worth of food per day.

"This is not sentimentalism. I do not for a moment lose sight of the wickedness and folly of which prisoners have been guilty. With the exception of a very few innocent men, they fully deserve the exile from society to which they have been condemned. What wish to emphasize is the existence of the criminal's inherent essential humanity. The blasphemous theory of the irreclaimable criminal, fore-ordained to a life of wickedness and social perversion, will break down completely whenever it is honestly tested.

"For, while there is no such thing as a criminal type, there is a 'prison type'—the more shame to us who are responsible for it. Forth from our penal institutions year after year have come large numbers of men broken in health and spirit, white-faced with the 'prison pallor,' husky in voice—hoarse from disuse, with restless, shifty eyes and the timidity of beaten dogs. But these are creatures whom we ourselves have fashioned the finished product of our prison system. These are what we have to show for the millions of dollars wasted and the thousands of lives worse than humanity.

"Society has a perfect right to formulate its code of laws, determining what acts shall constitute legal crime.

"Because I would have you believe that these inmates of our prisons are not 'criminals' in the meaning which we read into the term, I would not have you jump to the conclusion that I believe them altogether admirable. There is no more reason to be sentimental than to be callous. Let us simply examine the common sense in the matter. These men have more than their share of the weaknesses, follies and vices of humanity; but they are by no means lacking in the virtues. But the essential trouble with the criminal is neither physical nor mental; he is spiritually ill, socially ill, ill of selfishness—of a peculiar form of civic egotism, which causes him to be indifferent to the social rights of other men. The proper hospital for him is the prison.

"But if this man is socially ill and needs prison treatment, what is the best method. More than 60 per cent of the population of the State prisons in New York today are regular prison visitants. They come back time after time, after only a few short weeks or months of freedom. Obviously, the method in vogue is not acting as a cure; our patients have perpetual chronic charges. Obviously, bad food, perpetually silence, solitude, all the other refinements of cruelty with which we treat these socially ill are not good medicine. How could they be? They are based on brutality and executed with the thoroughness of stupidity.

"It is often said, 'We send criminals to prison to be punished,' and this assumption is then made the basis of much argument and criticism to the effect that we should not endeavor to ameliorate the condition of men in prison. What is meant by saying we send criminals to prison to be punished? Do we mean that after we get men to prison we shall proceed to torture them, condemning them to the ruin of health in body, mind and soul? Whether we have meant it or not, such has certainly been the process going on in our prisons up to the present time.

"Such is not really our intent. We do not send men to prison to be punished; we punish men by sending them to prison. The imprisonment is the punishment, and the direst punishment that can be meted out to any man.

"Do you know how a man feels when he leaves an institution of this kind? one of the Auburn prisoners, a third term, once asked me. 'I'll tell you how I feel at the end of my first term. I just hated everybody and everything, and I made up my mind to get even.'

"Imprisonment—the denial of individual freedom—

is not only the greatest punishment that society can inflict on man, but you cannot go farther without ceasing to punish him in an impersonal way—the way of nature. The various forms of torture which we have from time to time added to imprisonment—the lash, the paddle, the head-cage, the 'stringing up,' the gill of water, the dark cell—all these are not the impersonal decrees of society—they are the personal, vindictive, arbitrary acts of some one or more individuals holding irresponsible authority over other human beings, a relation which has most disastrous effects in both directions; it not only turns the punished into wicked and revengeful wild beasts, but it turns the punisher—a good intentioned man—into an arbitrary and cruel tyrant.

"Even where brutalities are not in evidence there is something about the prison discipline which prevails everywhere to-day that defeats its purpose. Let me describe a day at Auburn during my voluntary imprisonment. After the long and restless night the regular day's routine begins. Rising bell (and no man may rise any sooner); then dressing; then the iron-grated door is unlocked and the lever pushed down; each man shoves open his door and, joining the hurrying members of his company carrying their heavy iron buckets, traverses the long gallery and stands at the doorway.

"Every man of the 1,400 (except those ill in the hospital) must empty his bucket daily in the sewer house. The march in the early morning is far from unpleasant—except for the bucket; but that is left behind on the racks to be dried and disinfected. The march back is pleasant exercise. Returned to our cells, we sweep and clean house for the day, and then to breakfast.

"After breakfast, the shops; after shop-work, dinner; after dinner, the shops; after shop-work, the cell-block. Such is the dull, uneventful routine of the prison, day after day, week after week, month after month, year after year. Is it any wonder men go mad? What, in heaven's name, can be expected of live human beings subjected to such torturing monotony? It would be terrible enough if they could talk, but carried on in dreary silence—!

"I came out of Auburn blazing with wrath against every smug and respectable member of society whose ignorance and indifference were responsible for the brutal and imbecile system.

"It was not that the prison was badly managed; the management of Auburn Prison has been traditionally efficient. My quarrel was and is with the whole vicious theory underlying the system.

"The main counts I should draw on behalf of the prisoner against the State are as follows:

"The constant confinement for many hours of the day, and sometimes for even whole days at a time, in small, unhealthy cells—utterly unfit for human habitation, where physical degeneration is inevitable—and mental and moral as well. They are locked in all day Sunday except for a couple of hours, and all day long on holidays.

"The vice which naturally results from the constant confinement. Shut in all day Sunday, the cells close and miserably cold in Winter, close and stifling in Summer, with the stench from hundreds of buckets poisoning the atmosphere, men so craved relief from the intolerable conditions that they turned to the use of drugs.

"The ill-organized and inefficient system of labor, which lacks any incentive toward honest, steady work. Men are assigned jobs entirely regardless of preference or capacity.

"The enforcement of silence does not hinder conspiracy and wickedness—it is the pleasant word of hope and encouragement that is stopped.

"Added to the terrible silence, the no less terrible monotony. In prison so few things happen. Day after day, week after week, month after month, year after year, the same grinding, dreary, deadly monotony. Cell-block, buck-

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