

ROCHESTER HISTORY

Edited by **BLAKE MCKELVEY**, *City Historian*

VOL. XXXIV

JANUARY, 1972

No. 1

A History of Penal and Correctional Institutions in the Rochester Area

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The recent tragedy in nearby Attica has focused public attention on the need for reforms in our penal system. First it is well to recognize, however, that this need has been with us for a long time and has in fact considerably influenced the development of our penal institutions. Many features of our prisons that are now severely criticized were devised to meet the problems of an earlier generation. To judge them intelligently we must recall their objectives as well as examine the extent and probe the cause of their failure. Perhaps a review of past experience in this field in the Rochester area will prove enlightening.

As a city Rochester has had little direct responsibility for penal and correctional efforts, but as a community it has made some significant contributions in both fields. In its capacity as the seat of Monroe County it has provided sites for four successive jails and a local penitentiary which has had some creative as well as some depressing aspects. Rochester was also the site for many decades of the Western House of Refuge, a state institution later renamed an Industrial School and moved to

ROCHESTER HISTORY, published quarterly by the Rochester Public Library, distributed free at the Library, by mail 50 cents per year. Address correspondence to City Historian, Rochester Public Library, 115 South Ave., Rochester, N. Y. 14604

Industry some 15 miles south of the city. As a part of New York State Rochester has had some responsibility for and has made many commitments to Auburn prison, as well as to the Reformatory at Elmira, the State Training School for Women at Albion, and the maximum security prison at Attica. Each of these represented at its creation an effort to correct and improve existing practices. But with other American communities Rochester has also witnessed the development of increasingly complex and baffling crime problems that have frustrated and in some cases confounded its correctional efforts. And since good intentions have proved inadequate in the past, perhaps we should seek a more reliable approach today.

Institutional Origins

To place the local developments in their proper setting it is necessary to recall that dedicated leaders of the youthful republic were eagerly developing new penal institutions in the same decades that saw the establishment of Rochester and Monroe County. Mindful of the rights of man and confident of his capacity for self discipline, Dr. Benjamin Rush, John Griscom, and other American followers of John Howard in England advocated confinement for specific periods as a substitute for physical torture. Monroe County's first jail, like most jails elsewhere, was hastily built as a place of detention with little thought as to its character. Before the erection of Monroe County's second and more permanent jail in 1832, however, the State of New York had developed the structure and philosophy of the Auburn system, and the Monroe jail incorporated at least its basic cell block. As reformers in the state moved in later years to provide separate treatment for juveniles, for women and for minor offenders, responsible local residents promoted the establishment of such institutions in the Genesee area too. Rochester thus participated in both the accomplishments and the disillusionments of the early institutional penology.

The first local jail was a makeshift strong house designed to serve until a permanent structure could be erected. Hastily built in the fall of 1821, the county's birth year, on a small North Fitzhugh Street lot, the first jail was a log structure securely enclosed on two sides with one door and high windows at both ends to provide light and ventilation to the central corridor. Several rooms or cells opened from both sides into that corridor, admitting light and heat from its single stove through grated doors. These meager accommodations provided little opportunity to separate debtors and misdemeanants from suspected felons, and only the absence of desperate convicts, who were promptly sent to Auburn, forestalled serious outbreaks.

Criticism of that first jail quickly appeared. A group of citizens proposed the erection in 1824 of a "stepping mill" for the punishment of minor offenders as preferable to confinement in the gloomy jail, but the legislature failed to grant the necessary authority. Another group of citizens protested the incarceration of debtors for minor sums and raised a sufficient fund to cancel the debts of all those confined in 1831. After the escape of the first homicide suspect in 1822, the jailer erected a wooden stockade at the entrance to provide better security when the door was opened. But six years later, when a fire broke out in the log house, compelling the jailer to unlock all doors, three inmates readily made their escape. To guard against a repetition of such breaks, the supervisors authorized the construction of a stone wall around the jail yard. A grand jury found the jail clean but overcrowded in January 1830 and recommended prompt action to replace it on a more adequate site.

The location chosen for the new jail had several advantages. Colonel Rochester and his partners were constructing a new and enlarged raceway from the western end of the newly rebuilt mill dam, and they offered the county the half-acre plot at the southern tip of the island formed between that channel and the river provided the county would build an embankment

along its two sides as a safeguard against floods. The jailer accepted the task as a convenient work assignment for some of his inmates and, because of the isolation of the new site, employed others in completing the construction of the new jail opened in 1832.

The new jail was built entirely of stone at a total cost of \$12,500. Following the design developed at Auburn, the jail proper, 60 feet long and 40 wide, enclosed two double tiers of cells, 4x8x7 feet in size and arranged back-to-back, with an open space two stories high separating the cells from the outer walls and windows. In addition to the 40 cells in the main block, the jail had a number of rooms on its third floor for the separate confinement of women and children and other special cases. When the number of female inmates began to increase in 1838, the supervisors appropriated funds for the construction of cells for them on the third floor of the jailer's house, which adjoined but had no direct access to the prison.

Discipline at the jail depended in large part on the character of the jailer in charge. Communication among the inmates was generally discouraged but no effort was made to enforce the rule of silence, the key feature of the Auburn system. In fact Edwin Avery, who later became a miller, won commendation in 1837 from Henry O'Reilly in his *Sketches of Rochester* for success in "meliorting the condition of the prisoners by inducing them to labor voluntarily in various useful ways" including work assignments on a rock pile in the jail yard. But that fair report was darkened somewhat the next year when the confinement of William Lyon Mackenzie to the Monroe County Jail focused wide attention on its regulations and burdened the new jailer, Ephraim Gilbert, with his frequent complaints.

Mackenzie, a former mayor of Toronto who had led an abortive movement for Canadian independence, had been convicted of violating American neutrality laws by basing his insurrection in the States. Because of his earlier friendship with

O'Reilly and others in Rochester, Mackenzie had settled his family there and had requested confinement in the Monroe County jail. But when the special treatment he expected and in part received was not entirely agreeable, his indignation and criticism of "the American bastille" knew no bounds. Confined in a separate room on the third floor and permitted daily visits by his wife and son among others, he protested the cramped quarters, the locked doors, and the limited opportunities for exercise. His pleas to the Governor and the President for release, together with the numerous petitions in his behalf assembled by O'Reilly, prompted the naming of a special grand jury to investigate the conditions of his confinement. Its findings, while noting that Mackenzie had in fact been lodged in a small room for several weeks while the new cells for women were being constructed, reported that he had been moved to a larger room with a window and good air and was enjoying daily visits from his family and friends and had been granted an opportunity to exercise daily in the attic. The Grand Jury concluded with the hope that Mackenzie would soon be released, and probably few were more gratified than jailer Gilbert when President Van Buren signed the long awaited pardon on May 5, 1840.

Mackenzie's numerous complaints, aired in his weekly *Gazette*, which his friends continued to publish in Rochester, alerted its citizens to conditions in the jail. O'Reilly not only permitted his friend to borrow books from the Athenaeum library, of which he was a director, but collected books and tracts in 1840 for a library in the jail. The vigorous Canadian's passion for exercise finally prompted the sheriff to permit him to exercise in the jail yard when the work of other inmates on the stone pile was suspended, and this freedom called attention to the need for a wall around that yard to make it available for other inmate uses. That reform, though frequently proposed in subsequent years, was however deferred until an attempted break in 1846 and a succesful escape the next year promoted

the county to hasten the construction of a wall that fall.

The county jail attracted attention for several additional reasons. Although most of those entered there, who increased from around three hundred to around five hundred annually during its early decades, were released after short terms, or despatched to Auburn as convicted felons, among the approximately fifty inmates normally confined to its cells were generally a few individuals who drew public notice. The most notorious in these early years were two convicted murderers hanged in the jail yard in July and November of 1838. Morbid citizens attracted by such spectacles waited until 1852 for a third execution, but the confinement of the circus manager Dan Rice in the jail over night for failure to pay a fine in 1850 prompted him to write a song about the "Blue Eagle," as he distinguished it from the Eagle Hotel at the Four Corners where he normally stopped while in Rochester. That ditty, sung on frequent occasions in Rochester, supplied an enduring name and won the Monroe County jail a secure place in Rochester's history.

O'Reilly's frequent visits to Mackenzie had alerted him to a more serious deficiency in the jail system. Whatever could be said for its administration, certainly the jail was no place for the confinement of children and, starting in 1838, he besieged the legislature with a series of petitions for the establishment of a House of Refuge, similar to one recently opened on Randall's Island at New York, for the separate detention and reformation of juvenile delinquents. O'Reilly moved to Albany before these petitions brought results, but several of his collaborators, notably Isaac Hills and Frederick P. Backus, continued the campaign and secured appointment among the commissioners named in 1846 to establish such an institution. Authorized that May, the Western House of Refuge opened its doors on August 11, 1849, on a 42-acre plot on the northwestern edge of the city. Built of brick and equipped at the start to

accommodate fifty boys, the first building stood in a 4.5-acre plot surrounded by a brick wall twenty feet high with ample space for future expansion. Although limiting its admissions to boys between the ages of eight and sixteen committed by western New York courts, the House of Refuge had to erect a second wing in its second year and by 1851 had an enrollment of 130 housed in seven-foot square dormitories opening from both sides of long corridors extending through the two floors of these wings. Under the direction of Samuel S. Wood, as first superintendent, a teacher gave elementary instruction to those who could not read or write, while an enterprising contractor directed the work of other boys in making cane chair seats and whips to help defray institutional expenses. The completion of a stockade around the farm made it possible to send some boys out to help produce food for daily consumption. As the population increased the superintendent engaged an assistant, a second teacher and a tailor, in addition to the gate keeper, farmer, and matron previously employed. Apparently the gate-keeper was the only guard, and most of the household chores were performed by the boys themselves. A small library and a plunge bath supplied new features in 1852, and the next year saw the opening of a shoe shop and a tailor shop to increase the variety of work assignments available to the boys, who now spent seven hours a day at these tasks, 3.5 hours in school and 1.5 at meals before returning to their dormitories for the night. The addition of new school rooms, new teachers, new work shops, and a new dormitory wing marked the steady growth in numbers to 386 by the close of the first decade. Good reports from some of the 102 boys who had been indentured to farmers, craftsmen, and other guardians added to the board's gratification over its accomplishments.

The success of the House of Refuge plus the continued growth of the city, which threatened to overcrowd the county jail, prompted a new move in 1852 to establish a separate

institution to house the increasing number of misdemeanants sentenced by the courts. News of the provision of workhouses for the confinement of misdemeanants in both Albany and Erie counties spurred the supervisors of Monroe County to appoint a committee to study the situation. Its recommendation that a workhouse be erected on a 12-acre section of the county poor farm won quick favor, and shortly after the receipt of legislative approval work commenced on its construction on the city's southern border. Built of brick on the Auburn pattern with a cell block to accommodate 96 men and a separate group of cells for 40 women, the Monroe County Workhouse had at its opening in November 1854 a third building ready for the use of contractors eager to employ the inmates at productive tasks. And to head it, the supervisors brought Zebulon Brockway from Albany where he had demonstrated his ability to make the inmates of its almshouse earn their entire expenses.

An able administrator and disciplinarian, Brockway faced several new challenges in Rochester. In contrast with the almshouse at Albany, where the inmates were fairly permanent, the commitments to his workhouse in Rochester represented a flowing stream of short timers. The 539 received the first year mounted to 754 in the second, but the number in custody at one time increased from approximately 100 at the close of the first year to 130 twelve months later. The rapid turnover made the organization of efficient work schedules difficult, and it was not until the third year that returns from the work shops reduced the maintenance costs below \$1000.

It was also in that year that Brockway attended a series of revival meetings conducted by Charles G. Finney, who gave a new direction to his energies. Inspired by a new religious zeal, he organized and conducted animated Sabbath school services at the Workhouse. As recalled in his autobiography years later, the inmates quickly responded to Brockway's new approach, singing and praying with gusto, and he was able to discharge

some of them with a warm sense of having contributed to their redemption, only to see many return a few weeks later with new sentences. Challenged by that second disillusionment, Brockway began to consider the merits of establishing a school to teach the three R's to the many inmates who lacked such skills. His annual reports in the late fifties gave greater attention to the inmates, classifying them as to nationality as well as the nature of their offense, and noting their lack of elementary knowledge and technical skills. In response to his annoyance over the short terms, the managers determined to change the name of the workhouse to a penitentiary in 1858 so that commitments for longer terms could be received under a new state law. By dint of careful management, the several workshops turned out products that netted a small surplus over the maintenance costs for the first time in 1860, but by this time Brockway, who had commenced a correspondence with prison managers and reformers in the East and abroad, was absorbed by dreams not only of longer sentences but of indeterminate sentences that would permit a superintendent to hold inmates until they were reformed and thus supply convicts in America with the incentive to self improvement that recipients of the British "ticket of leave" sentences to the island of Norfolk off Australia were profiting from. When the managers of the newly constructed Detroit Workhouse offered to incorporate such a system there, Brockway left Rochester to assume its management.

A Penology of Reform

Rochester's penal institutions responded in varying ways to the impact of the Civil War. The county jail, considerably relieved by the diversion of children and misdemeanants to other institutions in the fifties, found itself neglected and permitted its standards to deteriorate during the war. In sharp contrast, the county penitentiary under the management of Levi S. Fulton, who after a brief interlude succeeded Brockway,

maintained his work program and, with the aid of Samuel Luckey, the chaplain in Brockway's final years, introduced new educational programs. As the demands of the army increased, the number of men in the penitentiary declined, and in December 1863 it applied to the federal government for and received a detachment of federal prisoners to occupy its cells and staff its industries. Since Churchill & Company, which now operated its shoe shop, had large orders from the army to fill, the arrangement proved advantageous to all concerned. Some of the increasing number of women committed to the penitentiary worked in the tailor and chair caning shops or at other productive tasks. The management had difficulty in housing upwards of a hundred of them in the 72 cells now available in the women's block, but the end of the war brought a decline in such commitments.

The Civil War had a different impact on the House of Refuge. Some of its inmates were the restless sons of men recruited into the army and who sorely missed parental discipline. An increasing number of commitments forced the House of Refuge to rush the completion of a third cell wing. But the opportunity to discharge some of its older boys into the armed services provided a new outlet, which prompted 91 enlistments in 1862 and 24 in the following year despite the sharp drop in the number of older boys. Rising prices stimulated increased production in the contract shops and gave the institution a thriving quality that permeated all aspects of its regime.

The war's aftermath presented graver problems to Rochester's penal institutions than had the great conflict itself. Deprived of the opportunity to release some of their more restless inmates into the armed services, both the Penitentiary and the House of Refuge saw the number of troublemakers increase and experienced new disciplinary problems. Disruptions in their work programs increased as the contractors, deprived of army orders, reduced their schedules or endeavored to introduce new

manufacturing techniques. A destructive fire, apparently of accidental origin, gutted the shops and part of the engine house at the penitentiary in 1865, suspended all production for a time there, and apparently prompted several lads at the House of Refuge to start a fire in its work shop a few months later. That fire was quickly extinguished with the aid of a water system installed in the previous year, and the rebuilding of the penitentiary facilitated the introduction of several improvements including the provision of running water in its cell blocks and shops too.

But slack employment coupled with increased commitments at the House of Refuge seriously disrupted its discipline. Several outbreaks of violence prompted an investigation that brought many sorry details to light. Although the investigators cleared Superintendent Wood of the more flagrant charges, they took a grave view of the breakdown in discipline, placing part of the blame on the brutal character of some of the production foremen hired by the contractors. Final responsibility, however, rested with the superintendent who tendered his resignation at the end of the year. Unfortunately the institution's deficiencies were not easily corrected, and his successor, after a succession of frustrating disturbances, also resigned. Finally George J. Whitney, the new president of the board, persuaded Levi S. Fulton, whose management of the penitentiary had proved exemplary, to resign that post in 1870 and assume charge at the House of Refuge.

To restore order at the House of Refuge Superintendent Fulton terminated a contract which had mixed a number of outside workmen with the inmates to boost production but with deliterious effects on the boys involved. He also introduced a program of military drills and a system of merit badges patterned after a scheme devised at the Chicago House of Correction and described at the first National Prison Convention which he had attended at Cincinnati the year before. He

endorsed a recommendation by Enoch Cobb Wines of the New York Prison Association that all contract labor be abolished in juvenile institutions, and in testimony before a New York State Commission on Prison Labor, he advocated that all productive activity should be entrusted to the management of the superintendent and his staff. But since most state officials feared a breakdown in discipline if any interruption in the work schedule occurred, action on the proposal was deferred.

While the House of Refuge under Fulton and the penitentiary under Alexander McWhorter, who succeeded him there, were able to maintain a fair degree of order with the aid of outside contractors during the seventies, discipline at the county jail depended almost entirely on the abilities of its principal keeper. Fortunately the appointment of Francis Beckwith as assistant sheriff in charge of the jail in 1870 brought a dedicated man to the job. A good housekeeper, he gave the Blue Eagle a thorough and much needed cleaning on his arrival and won frequent citations from state inspectors for its excellent condition. Luckily for the historian, he also kept a private diary, and his frequent comments on events at the prison are most revealing. Thus he was annoyed by the curiosity that brought citizens to the jail to view notorious inmates, notably the three men confined there in January 1871 on charges of killing their wives, yet he mentioned without comment that "3 to 400 came to witness" the hanging of one of them that August. He frequently observed that the great majority of his charges were there because of drunkenness, and apparently his skill in sobering them up became widely known for he occasionally reported that a prominent citizen had voluntarily brought his dissipated son to him to be "dried out." He also noted the commitment during the depression of several trusted business men on charges of forgery, and he deplored the readiness of the courts to find technicalities permitting their release, but he was much more indignant when skilled lawyers uncovered loopholes that re-

sulted in the release of desperate criminals, though he faced the need on two occasions to risk his life in foiling attempted jail breaks. On his departure from the old "Blue Eagle" on January 1, 1876, he reported that he had lost only six by sickness and death, plus two by hanging, out of the 6000 prisoners under his charge during his five-year stint and commented that, despite some protests at the time, many had thanked him for the strict discipline he had maintained.

The maintenance of discipline among approximately forty inmates held for an average of twelve days each was quite different from the task presented the managers of the House of Refuge, where the number of inmates increased from an average of 400 in 1870 to an average of 700 two decades later. Despite frequent criticism of the contract system, the institution continued to rely on it more as an aid to discipline than for the income it afforded. Superintendent Fulton secured the assistance of an able educator with the appointment of Samuel P. Moulthrop as principal of its school in 1876, and two years later Moulthrop introduced a period of calisthenics that proved a popular addition. A separate dormitory for girls, opened in 1876, provided for the admission of females and created a new disciplinary problem, but the ability of its matron to maintain order without the use of barred windows prompted the superintendent to remove them from all but one block of cells for boys. The retention of the security block and the opening of a new dormitory block for young boys provided three distinct treatment patterns for boys, encouraging a further classification of the inmates.

The big problem at the County Penitentiary was not overcrowding but the rapid turnover. When the state law of 1856 authorizing the commitment of young first offenders to county penitentiaries was revised and reactivated after the war, a decline in the average population was halted and a more stable work force was provided for the contractors. The sums realized prac-

tically equalled the maintenance costs until 1877 when the opening of Elmira Reformatory diverted most of the long-term young men to that institution. McWhorter managed to keep his contractors supplied, however, as the commitments and the average number confined slowly increased in the early eighties, netting a surplus in several years until the anti-contract laws took effect at the close of the decade.

But it was the new State Reformatory at Elmira that made the creative responses to each of these problems and set the direction for correctional efforts during the next three decades. Opened after many delays in 1877 by Zebulon Brockway, it was equipped with 504 cells slightly larger than those of Auburn in size and surrounded by a wall. But its indeterminate sentence law, applicable to young men between sixteen and thirty when convicted of a first felony, was revolutionary and directed the Superintendent to release them under parole as soon as they had demonstrated their reformation under an objective grading system. The maximum sentence for each offense still set the final limit, but the reformers hoped that the indeterminate feature would win the cooperation of the young men in their rehabilitation. Brockway instituted a grading system that represented a considerable improvement over those developed in scattered juvenile institutions; he introduced educational provisions that went far beyond any in prisons elsewhere; and he developed a program of work experiences based on industries he set up and managed with borrowed capital. When the legislature refused to back that system, he negotiated a number of carefully regulated contracts in 1881; three years later, in order to fit the work assignments more closely into the grading system, he devised the piece-price system that gave his assistants a still closer supervision over the productive activity.

Brockway's remarkable institution not only attracted numerous commitments from the Rochester area but focused the attention of its penal officials on his innovations. When the

rapid influx overcrowded its facilities, Brockway reluctantly requested additional cell blocks, increasing its capacity in 1886 and again in 1892 to a total of 1296. That expansion encouraged the managers of both the House of Refuge and the Penitentiary in Rochester to approve construction beyond the 500 mark when overcrowding threatened, thus aggravating their disciplinary problems. But they also followed some of Brockway's more creative innovations. Thus Fulton assisted by Moulthrop revived and improved an earlier grading system and, encouraged by William Prior Letchworth on the State Board of Charities and Corrections, developed a program of mechanical training in 1884 based on the new system first displayed by the Russians at the Centennial in Philadelphia, a method Brockway was also introducing at Elmira. The new training program supplied a substitute at both institutions for the labor contracts abolished in state institutions that year (and although Brockway managed to continue productive work under the piece-price system until 1888, the House of Refuge switched entirely to industrial training and changed its name in 1884 to the State Industrial School.

The one institution unaffected by the anti-contract laws was the jail which had no productive labor. Yet conditions in the old Blue Eagle jail had become so wretched and its security so dependent on keeping inmates locked in their cells that, after repeated condemnations by state inspectors, the Supervisors finally voted in 1884 to replace it. Completed the next year on a nearby lot on Exchange Street, the new jail was equipped with a cell block containing 52 cells in three double tiers facing in to a central court extending up to a skylight in the roof above. The cell block was surrounded by outer walls with a three-foot space separating it from the barred windows. Entrance to the cell block and to separate compartments for women, children, and condemned persons on the third and fourth floors over the jailor's house, was through a turnkey room at the side door. Though more secure than its predecessor

and boasting a toilet in each cell, it was destined to attract increasing criticism as the years passed. Meanwhile the city, approaching 150,000 in population, erected a central police station across Exchange Street in 1894 and equipped it with a number of detention cells for men on the first floor and rooms for women and children adjoining the matron's quarters on the third floor. The city provided a few similar cells in its sub-stations in later years, all designed exclusively for brief or over-night use.

In the immediate Rochester area only the State Industrial School assumed the reformatory objectives and endeavored to devise an appropriate discipline. Superintendent Fulton in his last year experimented with a scheme of releasing some of the boys, who had accumulated the maximum number of merit marks, to attend nearby churches in street garb for several Sundays before their discharge. When William Murray, his chief assistant that year, assumed full charge two years later, he expanded that practice to permit the school's band, organized in 1888, to march in public parades outside. And his successor, Vincent M. Marten, going a step further in August 1895, permitted one hundred boys, whose records were good and whose graduation, as it was now termed, was approaching, to leave for thirty-day vacations with their parents or guardians. A cadet company, numbering 500 boys and equipped with uniforms and rifles won applause on its appearance in a city parade that year and left for a week's camping excursion at Windsor beach the next June.

Penological Theory and Practice

The prestige of reformatory penology reached a peak in the late nineties, but gave way gradually to new approaches after the turn of the century. Brockway's confidence that all his first offenders could advance through successive grades to full rehabilitation failed to take account of those who had limited

capacities, and his attempt to paddle one feeble-minded inmate into conformity brought his own illustrious career to a close in 1899. Concern for the welfare of defective and insane persons had prompted the establishment of asylums in New York and other states in earlier decades, and William Pryor Letchworth had taken the lead in 1892 in the development of Mattewan, the first penal institution in the country for defective and insane prisoners. Seven years later an institution at Napanock, originally planned as a branch for Elmira, was designated for the care of male defective delinquents, and the Western House of Refuge for Women, opened in that year at Albion as a branch of the women's reformatory in Hudson, was similarly converted to the care of female defectives in 1930 and renamed the Albion State Training School. The removal of these unfortunates relieved the reformatories and the prisons of some difficult charges, but focused attention on the need to study and classify each convict in order to place him in the institution that best fitted his character and needs.

In the Rochester area only the State Industrial School remained totally committed to its reformatory objectives. With other juvenile institutions it escaped inclusion among the penal institutions placed under the central jurisdiction of the State Prison Commission on its creation in 1877 and retained its character as a correctional institution under the supervision of the State Board of Charities. Its local board of managers had begun in 1888 to debate the merits of the family or cottage system as an alternative to the traditional congregate cell blocks, and in due course the aging character of the buildings and the need for costly improvements prompted the State Board of Charities to determine in 1903 to remove the school to a new site in Rush, 15 miles south of Rochester, and to rebuild it on the cottage plan. Construction commenced a year later on the 1400-acre site and the first boys began to move out in 1905; two more years elapsed before the old structure was finally abandoned.

The new institution, renamed the State Agricultural and Industrial School, was comprised of twenty scattered cottages, each designed to accommodate twenty-five boys who bunked in one or two large dormitory rooms and shared a family dining room, a large living room, and other household facilities with a resident staff member and his wife as guardians. Farm chores, centering around an adjoining barn, supplied the major outdoor occupations; school work took place at first in the cottage workshop or the living room, somewhat on the pattern of the old district schools still prevalent in rural areas. The decision to make it an institution exclusively for boys eliminated a problem that had plagued its predecessor in recent decades in Rochester, and its location in a rural setting freed it from some urban distractions. But that circumstance ill prepared the boys for their return to homes that were generally located in Rochester or in other cities and towns of western New York. To meet this difficulty the State created the post of parole officer and in 1913 named the warm spirited Dr. Algernon Crapsey to that position.

In the first years at Industry most of the boys were busily engaged in making their new cottages and farms more habitable. As superintendent, Franklin H. Briggs, formerly an instructor in the trade school, took advantage of the need for sidewalks, water lines, additional animal shelters, and farm fences to develop practical skills in which the boys could take pride. Although a number of boys escaped, sixteen on one occasion, most of them were quickly apprehended and returned, and the administration adhered to its plan to make it an institution without walls. Its managers banned the use of locks and keys at all but one security cottage, which was reserved for intransigents. When in 1912 Briggs resigned to accept the challenge of establishing another new industrial school, his chief assistant carried on until the appointment of Hobart A. Todd in 1918.

Under Todd's leadership the school at Industry began to acquire its present-day character. Despite the addition of several new cottages and other buildings, most of the construction tasks for the boys were finished, and the need for more systematized industrial training as well as schooling prompted a re-emphasis on these aspects of the school's functions. When state plans for a new industrial arts building were blocked by the onset of the depression, Andrew J. Johnson, who succeeded Todd in 1929, secured a PWA grant to construct the new training center. Its completion made space available in the administration building for new psychiatric offices and other counseling services. Unfortunately as the depression deepened and it became more difficult to find suitable homes into which the boys could be paroled, restlessness mounted and increasing numbers made a break for freedom, sometimes pilfering from neighboring farmers in the process. James S. Owens, superintendent in the mid-thirties, answered the renewed protests with the argument that the state did not want to convert Industry into a prison, and that the solution lay in a more careful selection of staff members and a more imaginative training of the inmates. Owens and Frank D. Morse, who succeeded him, developed an active recreation program and endeavored to make better use of the psychiatric and sociological interviews in placing the boys in congenial cottages and in planning their work and study assignments.

The situation changed again with the outbreak of the Second World War. Opportunities for parole in the cities were enhanced for those with industrial skills, and instruction in the academic as well as the technological classes became more meaningful to the boys. With a shortage of workers in the fields, Clinton W. Areson, who became superintendent in 1940, instituted a program of hiring out boys from the school in small groups at thirty-five cents an hour and permitting them to keep their earnings. With the return of peace Areson and John B.

Costello, who succeeded him in 1950, undertook the remodeling or replacement of most of the old cottages and other buildings but placed their major emphasis on the care of the four to five hundred boys in their charge. Costello revived a plan, tried out more than a half century before, of releasing some of his boys for vacation leaves with their families and brushed aside the fact that a few failed to return on schedule with the remark that "colleges face the same problem." His chief boast on his retirement in 1971 was that he had tried to recognize and treat each of the 15,000 lads who had come under his care during the twenty years as individuals.

Of course the School at Industry, which received commitments only from juvenile courts and only under sixteen years of age and which was now under the supervision of the State Board of Social Welfare, not the State Commissioner of Corrections, was not in the same category with the state prisons and adult reformatories or even with the local county penitentiary and jail where a break for freedom was considered a serious threat to the public. Moreover the school at Industry, though a state institution and funded from Albany, had from the start a local board of inspectors or directors, and over the decades several able men, such as Thomas Raines, the Reverend Isaac Gibbard, and Frederick D. Lamb, had played key roles in the development of policy. Rochester area representatives on the State Board of Charities, notably Letchworth, Dr. E. V. Stoddard, and Mrs. Alice Wood Wynd, had also contributed significantly at various stages to its development. For more than half a century state civil service regulations had governed the selection of its superintendents and other professional staff members.

In similar fashion the State Prison Commission, recently renamed the State Commission of Correction, with advisory supervision over all state penal institutions, has by virtue of its staggered appointments a bipartisan character. Its chairman, the responsible Commissioner, was appointed by and served con-

currently with each successive governor who thus remained politically accountable. Since, however, all wardens were chosen from a civil service list, the state penal institutions escaped direct involvement in politics, but they could not escape the political demands of labor for an exclusion of the products of prison industries from the open market; nor did they escape the recurrent demands for greater security and the repression of convicted felons. Despite the establishment of classification clinics and the attempt to separate the less violent from the more intractable criminals, who required confinement under conditions of maximum security, repeated plans for prisons without walls were abandoned when a few dramatic escapes stirred popular alarm. Even the Great Meadow Prison, erected in 1908-10 by convicts themselves as a detention center for those requiring only minimal restraint, added a wall fifteen years later. Tentative experiments with work gangs on the roads, popular in times of labor shortage, gradually gave way before the recurring demands for greater security.

The Monroe County Penitentiary, on the other hand, had a different experience. When the ban on the sale of prison-made goods was extended to county institutions, the Monroe penitentiary expanded its farm holdings to raise food for county institutions. As the farm increased from 250 to 600 and finally to 1000 acres, the successive superintendents despatched larger work gangs each morning into the fields, but on rainy or wintry days most of them had to be kept in idleness at the penitentiary. The prison school, designed originally to teach the three R's to illiterate inmates, many of foreign birth, faced a new problem as the character of the population changed and brought an increased number of men who needed work skills and job training. Repeated criticisms of the aging penitentiary by state inspectors prompted the Democrats, briefly in control in the mid thirties, to apply for and secure a PWA matching grant of \$500,000 to build a new institution equipped to provide

industrial training. But the Republicans, who regained control in 1936, cut the application in half, substituting a medium security design with a fuller reliance on farm work. When in a referendum the next November the voters rejected the new plan, the state inspectors again condemned the old structure as the worst in the state and threatened to close it. Superintendent Homer E. Benedict, like his predecessors a former supervisor, persuaded the Supervisors that limited improvements would be sufficient to prolong its service. Asserting their home-rule prerogatives they ordered the installation of additional toilets in some of the cells and the equipment of a hospital room and library.

Increasing age and mounting idleness continued to plague the county penitentiary for another three decades. The practice of loaning some inmates for maintenance work at Iola or in the Sheriff's office had to be curtailed during the Second World War when a drop in commitments compelled the penitentiary to hold its trustees for farm work. Supt. Thomas O. Owen did send a detachment of twenty inmates into the city during the blizzard of 1945 to help collect ashes, but declining numbers confronted the penitentiary itself with a manpower shortage until the return of peace brought increased commitments. Renewed criticisms by state inspectors of the county jail as well as the penitentiary and an increasing number of escapes from both institutions prompted the county to install new locks at the penitentiary and to build a steel grill around the first tier of cells in the penitentiary to fit it for the confinement of short termers to be transferred from the jail but kept separate from the long-term inmates in the upper tiers.

When these makeshifts failed to silence the criticisms of state inspectors, the Supervisors invited the Bureau of Municipal Research to make a study of the county's penitentiary needs. Its report, released in February 1964, stressed the fact that since the great majority of local commitments were for drunkenness, the use of drugs and other behavioral infractions, the chief

need of most inmates was for rehabilitation not solitary confinement for sixteen hours a day in small antiquated cells. The Bureau's proposal that the county convert the existing buildings of its abandoned Iola tuberculosis sanitarium for use as a Rehabilitation Center to house one hundred selected inmates from the penitentiary roused a storm of protest from the neighborhood.

The report did prompt Superintendent Thomas F. Riley to engage Gerald J. Sullivan, formerly a parole officer, to undertake a pilot study of rehabilitation techniques at the penitentiary which upgraded the school program with the aid of volunteer instructors from the city. As director of rehabilitation, Sullivan arranged for the release of a few inmates to take part in training programs at both Eastman and Xerox, and he initiated a series of art classes at the penitentiary conducted by volunteer artists who spent three mornings a week instructing interested inmates. The experiment attracted an eager response from many inmates, and one volunteer instructor after five years with the project found herself, on the morning following the quelling of the Attica rioters, trembling as she faced an unusually large class in the cell block, but her fear that they might seize her as a hostage disappeared as she realized that these men were lining up to have their portraits sketched, as she had promised on the last visit, by somebody who would look at each of them long enough to see that he was an individual.

The county had at last come to recognize the necessity to replace both the penitentiary and the jail. Gordon Howe, who as a supervisor had moved for the creation of a new penitentiary in 1937, now in 1966 as County Manager renewed that motion only to have it tabled again. But plans were progressing for a new jail to be located in close proximity to the courts in the new civic center. The decision to house it in a six-story structure and to equip it with 324 cells on three floors, raised the possibility of combining the penitentiary with the new jail. Many advocates of a rehabilitation center offering greater flexi-

bility in treatment in a less confining environment protested, but reports of the successful escape of 24 inmates from the aged penitentiary silenced most objectors to maximum security institutions. The transfer of the last inmates from the penitentiary as well as the old jail was completed in October 1971. With its grey steel cages, 5 by 8 by 8 in size and equipped with a bunk, a wash basin and a toilet, arranged in tiers or blocks, each with 13 cells that open onto a block corridor that serves as a lounge room by day, and monitored by cameras wired to TV screens on the administration floor, the new Monroe County jail supplies greater security to its inmates as well as to the public than any of its predecessors.

As in former Monroe County jails, the correctional effects of the new jail depend on the objectives and skills of its administration. Although the penitentiary with its greater capacity for the employment and the flexible handling of inmates, was at least temporarily abandoned, rehabilitation remained, as County Manager Howe put it, in 1970, a "most important part of our detention system." The new jail, he declared, would supply in a complex of class rooms and recreation facilities on the top floor facilities for increased instruction, counseling, and self improvement that should prove especially beneficial to the younger prisoners who were becoming more numerous in the jail population. Volunteer instructors from local colleges and other institutions who had proved so useful at the penitentiary would have greater opportunities at the new jail. A plan for the release of selected inmates for work by the day at jobs in the city, approved by the County Legislature in 1970, promised to recapture some of the correctional values of productive labor long banned from penal institutions. But whether the rehabilitation program could survive the renewed stress on security following the riots at Attica remained to be seen.