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The Unsolved Problem of Prison Labor

There are certain honors which are bestowed, almost automatically, upon the Governor of a State, more in recognition of the position which he occupies than for any particular merit of his own. I feel, however, that your Committee which, for more than twenty years, has been striving so intelligently and valiantly to solve one of the greatest problems in our treatment of convicted wrong doers, has not awarded the medal which signifies their appreciation on account of my position but in recognition of the fact that I also have been working personally to the same end. I feel in consequence, more than usual gratification and appreciation on this occasion because there is nothing so heartening to one holding public office, as the realization that what he is doing and trying to do is understood and appreciated and approved by bodies such as yours.

I have spoken of this problem of prison labor as one of our great penal questions. I think I might almost refer to it as our greatest unsolved problem. Along all other roads towards the proper treatment of the criminal, we have advanced far, and I think perhaps this State of New York, during the past two years, has advanced a little further than any other commonwealth. A prison to us no longer is regarded as an impregnable bastile into which we can throw without any consideration, convicted criminals of all grades from the petty thief to the hardened man killer for certain arbitrary and specified sentences, determined by the judges, without any further sense of responsibility than seeing that they do not escape and
are not allowed to return to society until the last hour of their sentence is
over.

We have realized for some years past that the criminal is after all a
human being and as such is entitled to certain ordinary decades of civiliza-
tion; light, air, cleanly surroundings and a certain amount of exercise and
even recreation. We have, however, only fairly recently realized the further
great truth, that the average criminal is not only a human being but in
nearly all ways very much like ourselves; and up to the time of his convic-
tion, was as much entitled to all the rights of our civilization as we are;
and what is more important, that sooner or later, except for those who
receive death or life imprisonment sentences, he will return again to live
among us, to become either a useful member of society, or a deadly menace
to ourselves and our neighbors. With the realization of this fact has come
the further understanding that it will be in most cases our blame if he
continues in a criminal career and our credit if he quits his evil life.

We are proceeding in consequence along new lines. We are separating
the hopeless and hardened criminals from the men who yielded to temptation
in a moment of weakness. We are studying each convicted person as an
individual. We are trying to make his time of incarceration a period of
rehabilitation as well, to find out what is good in him and to develop it, to
find what is bad in him and eradicate it so far as is possible. We are trying
too, to remove him from the hardening surroundings of prison life and place
him on parole, subject always to return. We are even going a step further
and whenever possible we place him on probation after the sentence is
passed and without imposing on him a prison sentence at all.

By these methods we hope to solve this terrible problem of our over-
crowded prisons, so large a proportion of whose population consists of those
who having once committed a crime have entered our penal institutions and
don't desist so that on their release they know no other course, they
have no other object but to commit new crimes and to return within the
prison walls again, again and again. But all our new methods, based on
this new attitude towards convicted men succeeds or fails in proportion to
the extent of our ability to make the term of imprisonment a period in
which he will not learn new ways of crime from his fellow inmates, but will
acquire knowledge and experience and if possible even a definite trade, which
will enable him to return to an honest life and to resist the terrible tempta-
tions of need and poverty on his release.

Obviously, it will do no good to arrange for a prisoner's parole when he
shows evidence of reformation unless we so mould his life in prison as to
lead him to desire to reform. There never was a truer adage than that
which warns us that "Satan always something finds for idle hands to do." The
most demoralizing thing of prison life is, after all, its horrible
monotony. The idleness, the lack of everything to interest, the lack of
even those small responsibilities which make the busy man almost always a
contented man. Only a few have brains so fashioned as to enable them to
live in quite contemplation of nothing in particular. It is self evident that
we must have occupation for our prisoners. We do not need to argue that
this occupation must be something creative in its nature. To build up a
pile of bricks and then tear it down the next day will become after a few
days as monotonous as doing nothing at all. This seems obvious and yet it
is one of the last things in penal science which we have come to realize.

True convict labor is not new but convict labor as a means of reforma-
tion of the convicts, instead of a mere punishment or an economic machine
to turn out manufactured goods at impossible prices wherein the State pays
the overhead, is a new idea.

Over one hundred years ago in the first prison establishment in the City
of New York and also the first prison of this kind in the State, there was
developed a method of prison administration which you will probably be
surprised to know, included proper classification of the prisoners. In addi-
tion to this classification there were also established prison industries which
were to bring pecuniary returns to the prisoners who received the wages of
their industry. The eyes of the whole world were centered on that enterprise
and had it succeeded all that we are trying to do now would have been done many years ago. Perhaps, had we not entered into the machine age, it would have been successful, but with the coming of machines in manufacturing, human greed was allowed to enter, and the exploitation of prisoners for private contractors began. To the horrors of prison life was added slavery as well. The cruelties that ensued, that inevitably must ensue in any plan of using prisoners for the profit of private manufacturers, wrecked the whole scheme. In the end the exploitation of convict made goods aroused those who are obliged to depend on free labor in the making of their products. There are riots and blood shed in the streets of New York City in the '30s during the long struggle to end this intolerable practice. Nor was it really abolished until the '80s when private exploitation came to an end as a result of the campaign led by the Workmen's Council. It is interesting to note that I see here today Mr. Sullivan, President of the New York State Federation of Labor, Mr. Hugh Frayne, representing the American Federation of Labor and our own Dr. Thayer, Commissioner of Corrections in this State, whose father together with the late Mr. Samuel Gompers, all aided to bring about the final reformation. Since then we have had the State use system whereby the industry of the prisoners are confined to the making of articles used by the State. We have had various experiments but we have been able to provide work only for a portion of our prison population.

It is a difficult problem to keep so many men employed, to keep them employed not only is a prevention of idleness but also as a help in their struggle for existence after their release from prison, to prevent what they make from competing with the labor of the free men who have done no wrong, to prevent their exploitation either to the advantage or disadvantage of private manufacturers. All this is a problem of no small magnitude. In this State I have asked your representatives to meet with representatives of labor and with representatives of the manufacturers, to sit around a common table and arrive at a real solution of the matter. We have created a most important committee, headed by the Hon. George Gordon Battle. It is a vital part of the effort to coordinate our whole scheme and theory of prisons and punishment. While they are not yet ready to report a final plan, I want to congratulate them for having achieved the hardest part of the work that lay before them. They have brought together, I think, for the first time these four elements, labor, capital, industry, and the science of penology, viewing these questions from four entirely different standpoints; and they are working out the problem in the friendliest spirit with full cooperation.

Other states are watching what we are doing here. If this committee succeeds, even approximately in solving the first step toward a correct solution of this problem of prison labor they will have blazed a path which all our sister states will follow, and I will feel that they far more than myself rightly should deserve the medal of your association.