Notes

Abbreviations

AMC  Austin MacCormick Collection
CCF  Coxsackie Case Files
CCJR New York State Coalition for Criminal Justice Records
CCP Carnegie Corporation Papers
FDR  Franklin D. Roosevelt Papers as Governor of New York
HLP  Herbert H. Lehman Papers
HMP  Howard F. Miller Papers
JRDP John R. Dunne Papers
LHP  Louis Howe Papers
OFP Osborne Family Papers
SBP Sanford Bates Papers

Preface


Introduction  •  The Ashes of Reform


2. In 1975, corrections commissioner Benjamin Ward fired a prison teacher at Eastern for being a Grand Dragon of the New York State Klan and ordered others to quit the Klan or leave their jobs. There is ample evidence for Klan activity at Eastern. See Juanita Diaz-Cotto, Gender, Ethnicity, and the State: Latina and Latino Prison Politics (Albany: SUNY Press, 1996), notes on 123–24. Not long before the hostage incident, Eastern inmates had formed the John Brown Anti-Klan Committee and released a press packet naming thirty-five officers as Klan members or sympathizers. Persistent stories arose of officers engaged in “night riding” at Eastern, wearing white sheets and hoods late at night.


13. See Society for the Reformation of Juvenile Delinquents, *One Hundred and Sev enth Annual Report* (New York: House of Refuge Printing Class, 1932); Schlossman and Pisciotta, “Identifying and Treating Serious Juvenile Offenders,” offer an interesting comparative perspective. Only 7% of new commitments at the Whittier State School in California were 16 or 17 years of age; well over half (56%) of all new commitments to the House of Refuge were in that age group.


20. Randall’s Island today generally reflects Moses’s plan, or at least some aspects of it. The Triborough Bridge complex has its critical hub on the island, which is also home to many public parks. On the site of the House of Refuge, or at least very nearby, was Downing Stadium, a track and field stadium opened in 1936 in time for the Olympic trials.

21. Funds for Warwick’s construction were designated from the annual public improvement bond issue for 1930. See “Metropolitan Area To Get $35,000,000,” *New York Times*, 16 Jan. 1930, 17; on the Coxsackie site, see “Roosevelt Approves Site For Reformatory,” *New York Times*, 16 July 1932, 2.


26. Erving Goffman, *Asylums: Essays on the Social Situation of Mental Patients and Other Inmates* (Garden City, N.Y.: Anchor Books, 1961). Reviewers failed to connect *Conscience and Convenience* with its most obvious intellectual inspiration, in part because (oddly) Goffman’s work is never mentioned in the original edition of *Conscience and Convenience*. But the connections between the two are considerable. Both served on the Committee for the Study of Incarceration, and a number of Rothman’s earlier publications had explicitly credited the influence of Goffman’s concept of the total institution, embracing the functionalist position that all such institutions, regardless of apparent differences in mission or program, were possessed of the same internal structure and dynamic. Rothman observed that Goffman made a convincing case that brutalization and humiliation were “inherent in institutions, which by their nature are infantilizing or corrupting.” David J. Rothman, “Of Prisons, Asylums, and Other Decaying Institutions,” *Public Interest* 26 (1972): 13. Through this extension of Goffman’s work, Rothman sought to demonstrate “the inherent and unalterable defects of reform through incarceration.” David J. Rothman, “Prisons: The Failure Model,” *Nation*, 21 Dec. 1974, 657.


29. Of these threads, the question of decency and compassion is largely forgotten today, in part because reform efforts so often ended up producing conditions (such as they did at Coxsackie) that were far from decent or compassionate. Still, progressive sensibilities squared up against the rhetoric of harshness and toughness that would deny citizenship to criminal offenders. Michael Tonry, “Unthought Thoughts: The Influence of Changing Sensibilities on Penal Policies,” *Punishment & Society* 3 (Jan. 2001): 167–81, offers one of the few extended reconsiderations of this thread. See also, Michael Tonry, *Thinking about Crime: Sense and Sensibility in American Penal Culture* (New York: Oxford University Press, 2004).


32. Rebecca McLennan has drawn the most complete picture to date of what she calls “penal managerialism,” and usefully distinguishes it from punitive traditionalism. McLennan makes the case that it effectively replaced the older, progressive vision of “New Penology.” Rebecca McLennan, *The Crisis of Imprisonment: Protest, Politics, and the Making of the American Penal State, 1776–1941* (New York: Cambridge University Press, 2008). I argue that the older vision continued to find active political expression during and well beyond the 1930s.


37. McLennan’s fruitful focus on labor has echoes in the more recent work of Volker Janssen, “When the ‘Jungle’ Met the Forest: Public Work, Civil Defense, and Prison Camps in Postwar California,” *Journal of American History* 96 (Dec. 2009): 702–26, and
Heather Ann Thompson, “Why Mass Incarceration Matters: Rethinking Crisis, Decline, and Transformation in Postwar American History,” *Journal of American History* 97 (Dec. 2010), 703–716. Thompson’s work, like McLennan’s, is highly attuned to the complex politics of imprisonment, both inside and outside the prison itself. On racism, crime, and punishment beyond the southern experience, the literature has been rapidly growing, though it tends to focus more on scale and organization than on the details of penal governance. Most notable among recent works is Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York: New Press, 2010).


39. McLennan, “Punishment’s ‘Square Deal,’” 599. Steven Schlossman was among the first historians to show the complexities and contradictions of criminal justice operations, and that “social reform is always contested and negotiated, and that, at the least, it is a two way street.” Steven L. Schlossman, *Transforming Juvenile Justice: Reform Ideals and Institutional Realities, 1825–1920* (DeKalb: Northern Illinois University Press, 2005), xxv. Along the same lines, Frank Dikötter observed, “Many historians have written about the prison in society, but we also need a history of society in the prison,” particularly one that goes beyond a simple dichotomy of resistance and accommodation. Frank Dikötter, “Introduction,” in *Cultures of Confinement: A History of the Prison in Africa, Asia, and Latin America* (New York: Cornell University Press, 2007), 11.


41. Ann Chih Lin, *Reform in the Making: The Implementation of Social Policy in Prison* (Princeton, N.J.: Princeton University Press, 2000). Lin makes a powerful case that, “whether specific policies are effective at reintegrating prisoners into society is an important question. But no answer to it can be found if the policies in question are never implemented, do not function as designed, or are changed beyond recognition. Before it is possible to test ‘what works,’ one must ensure that the conditions for a fair test exist” (p. 10–11).


43. On the question of torture behind bars in a contemporary context, see Anne-Marie Cusac, *Cruel and Unusual: The Culture of Punishment in America* (New Haven, Conn.: Yale University Press, 2009).

**Chapter 1 • The Reformer’s Mural**

1. Arthur Bartlett, Profiles, “The Four-Eyed Kid,” *New Yorker*, 26 May 1934, 26. A sample of the national press coverage of the raid can be seen in the Associated Press reporting, such as the front page coverage in “World’s Worst Prison,” *Dubuque (Iowa) Telegraph*
Herald and Times-Journal, 25 Jan. 25, 1934, 1. MacCormick’s raid on the Welfare Island Penitentiary proved to be a remarkably durable story, particularly his role in exposing the influence of politically connected inmates like Joseph Rao. A version of this story was featured in Seymour J. Ettman, “Hell in Mid-Channel,” Headquarters Detective (Oct. 1940), which itself followed up the Hollywood film version of the story, Blackwell’s Island (starring John Garfield) in 1939.

2. Rikers was finally completed in 1935. The Welfare Island Penitentiary was torn down a year later.

3. The Maine quote is MacCormick’s, from his 1956 Bowdoin Institute Lectures, lecture 2, page 11, Austin MacCormick Collection, Newton Gresham Library, Sam Houston State University (hereafter AMC).

4. See Alejandro Anreus, ed., Ben Shahn and the Passion of Sacco and Vanzetti (New Brunswick, N.J.: Rutgers University Press, 2001). The series brought him to the attention of Diego Rivera, who took Shahn on as one of several assistants for his work on the RCA Building at Rockefeller Center.


6. For more on Ben Shahn, see Frances Kathryn Pohl, Ben Shahn (San Francisco, Calif.: Pomegranate, 1993); Susan Chevlove, Common Man, Mythic Vision: The Paintings of Ben Shahn (Princeton, N.J.: Princeton University Press, 1998). A comprehensive and outstanding review of Shahn’s New York work, including the Rikers mural, can be found in Kao, Katzman, and Webster, Ben Shahn’s New York.

7. Lou Block was an important muralist in his own right. Details of his contributions to the Rikers project are to be found in the Lou Block (1895–1969) manuscript collection at University of Louisville Special Collections and Libraries.


11. Ibid., 3.

12. See Donald Lowrie, My Life Out of Prison (New York: Mitchell Kennerley, 1915), 333. Winthrop D. Lane, writing in “Thomas Mott Osborne,” Nation, 10 Nov. 1926, 478, captured the idea well: “To Mr. Osborne self-government was a means of making prisoners better; it was a therapeutic agent. It was not a concession to imagined rights of prisoners, as some people thought . . . to him self-government was a means of training people in the art of living in concert.”
13. The story of Osborne, the Mutual Welfare League, and Sing Sing has been told many times, and it is not my intent to fully recapitulate it here. It was the basis for two admiring books: Rudolph W. Chamberlain, *There is No Truce: A Life of Thomas Mott Osborne* (New York: Ayer Publishing, 1935) and Frank Tannenbaum, *Osborne of Sing Sing* (Chapel Hill: University of North Carolina Press, 1933). More recently, the episode plays an important role in McLennan’s *Crisis of Imprisonment*, which is a most thorough account.


15. McLennan, *Crisis of Imprisonment*, 443. McLennan correctly observes that while Osborne’s work helped lay the foundation for the managerial prison, such a system of governance was anathema to Osborne himself. One need only observe that Osborne was no fan of Warden Lawes, or vice versa. An entertaining account of Lawes’s views on Osborne, one mostly sympathetic to Lawes, is in Ralph Blumenthal, *Miracle at Sing Sing: How One Man Transformed the Lives of America’s Most Dangerous Prisoners* (New York: St. Martin’s Press, 2004). Interestingly, Shahn and Block interviewed Lawes for their mural project as well, and they shared Osborne and MacCormick’s disregard for the self-publicizing Sing Sing warden, calling him “as phony as a twelve-dollar bill.” Greenfeld, *Ben Shahn*, 106.

16. Those who worked with Osborne felt that, even in his lifetime, few fully understood the breadth of his work. As MacCormick’s collaborator put it, “Let us record our protest against a too narrow view of Mr. Osborne’s interest in prisons.” The “League Idea” was constantly an issue, but Garrett observed that Osborne was interested in “every other phase of prison activity as anyone must be who has seen the problem both as an inmate and as an administrator.” Paul W. Garrett, “Report to the Board of Directors,” 1926, folder 1, box 11, AMC.


19. Ibid., 8.

20. MacCormick was apparently unaware that Osborne’s Auburn self-commitment had not been done anonymously. The inmates at Auburn were largely aware of who Osborne was, which Osborne believed (and MacCormick would later ruefully agree) was a more effective way for getting information about prison conditions.


22. Thomas Mott Osborne to Austin H. MacCormick, 20 Dec. 1916, box 132, Osborne Family Papers, Special Collections Research Center, Syracuse University Library [hereafter OFP].

23. Thomas Mott Osborne to C. W. Carroll, 18 Oct. 1919, box 143, OFP.


27. This notion of self-government as self-discipline remained a potent one in the interwar years. In 1934, Federal Bureau of Prisons chief Sanford Bates praised the Soviet Union’s Bolshevo Commune: “A large proportion had no desire to leave the colony. They earn standard wages, work every day, and bring up their families, and are free from restraint. Why should they want to go out? . . . You would not believe it unless you went there that the place could exist without a club or brass button in the outfit. You can say that it was a show place. But I had a hard time getting them to show it to me. There is food for thought in that experiment.” Osborne Association, annual report, 1935, 20, AMC. The Bolshevo Commune was one of the largest of the so-called Makarenko colonies. See Thorsten Eriksson, *The Reformers: A Historical Survey of Pioneer Experiments in the Treatment of Criminals* (New York: Elsevier, 1976). MacCormick echoed his mentor in a letter to Osborne, relaying a visit to San Quentin Prison: “The more I see of men in confinement, the more I am committed to self-government as the saving principle.” Austin H. MacCormick to Thomas Mott Osborne, April 23, 1919, box 147, OFP.


29. Austin H. MacCormick, untitled manuscript, n. d., 17a, AMC.

30. See Thomas Mott Osborne to Josephus Daniels, 2 July 1917, OFP.

31. See the reconstructed mural in Kao, Katzman, and Webster, *Ben Shahn’s New York*, 230–41.


35. MacCormick, “Crime and Delinquency, Causation,” Bowdoin Lectures, lecture 1, 37, AMC.


43. To understand these efforts in a larger context, see Leon Fink, Progressive Intellectuals and the Dilemmas of Democratic Commitment (Cambridge, Mass.: Harvard University Press, 1997); his treatment of South Carolina educational reformer Wil Lou Gray offers a generally sympathetic account, though Fink sees a retreat from the more radical social-restructuring goals over the course of the 1920s.


45. Within the field of education history, the legacy of Carnegie and the AAAE is vigorously debated. See, for example, Stubblefield and Keane, Adult Education in the American Experience, 194. See also E. C. Lagemann, “The Politics of Knowledge: The Carnegie Corporation and the Formulation of Public Policy,” History of Education Quarterly 27 (summer 1987): 205–220.

46. See, for example, Benjamin C. Gruenberg, Science and the Public Mind (New York: McGraw-Hill, 1933); Ira De A. Reid, Adult Education Among Negroes (Washington, D.C.: The Associates in Negro Folk Education, 1936); and Benson Y. Landis and John D. Willard, Rural Adult Education (New York: Macmillan, 1933). The AAAE also played a role in cultivating the careers of important women in the field of adult education, including Dorothy Canfield Fisher, Mary L. Ely, and Lucy Wilcox Adams.

47. His first, informal, report went to Morse Cartwright in October 1928. See Austin H. MacCormick to Morse A. Cartwright, 2 Oct. 1928, box 2, AMC.


49. Ibid., 44. MacCormick notes that the federal Smith-Hughes Act of 1917, while providing a great deal of financial support for worker education and training, was by statute not available to institutions for delinquent, dependent, or defective youth and adults.

50. Ibid., 21.

51. Ibid., 202.

52. Ibid., 190. For more on the extent to which the Danish folk schools had captured the progressive imagination, see Daniel T. Rodgers, Atlantic Crossings: Social Politics in a Progressive Age (Cambridge, Mass.: Harvard University Press, 1998).

53. MacCormick, The Education of Adult Prisoners, 49. MacCormick opposed Snedden’s argument that vocational training should be narrowly cast. He did support the vocational high school concept, though he argued that it should not be “an inferior grade of education” and should have just as varied a program as any high school. MacCormick, “Crime and Delinquency, Prevention and Control.”


55. Alain Locke made the same argument in 1933 about adult education: “The mind of the adult must be met in terms of its living, even if parochial and one-sided interests, and then gradually led out into a broader, wider and even deeper point of view.” For


60. Ibid., 215.

61. MacCormick allowed a similar role for religion in rehabilitation: “Religion of the true sincere type that becomes part of one’s being and is not a matter of dogma, not a matter of outward conformity [sets] up one of the strongest bulwarks against delinquency and crime or indeed human maladjustment.” MacCormick, “Crime and Delinquency, Prevention and Control.”


64. MacCormick placed two conditions on the photographs: first, that Shahn secure permission of inmate subjects before taking their photos and, second, that Shahn not publish the photos themselves.


69. Ilma was a strong proponent of encouraging the expansion of CCC forestry camps to include vagrant and delinquent youth. She wrote: “The very nucleus that the nation depends upon for the future must starve or develop into criminality . . . Camps would give them a chance to rebuild themselves, get a mental rest, let their confidence return with their health.” Viola Ilma, *And Now, Youth!* (New York: Robert O. Ballou, 1934), 23–24. Ilma’s work is a fascinating, earnestly pro-Roosevelt pamphlet. See also MacCormick, “Youth and Crime,” Osborne Association, *Report for Year 1936*, 21–22. Ilma later became director of the Young Men’s Vocational Foundation, with Eleanor Roosevelt as a board member.
74. Shulman, From Truancy to Crime, 81.
76. Ibid.
77. Memorandum from Ben Shahn and Lou Block to Fiorello LaGuardia, in Kao, Katzman, and Webster, Ben Shahn’s New York. The memo indicated that, over the course of their conversations with Austin MacCormick, Dean George Kirchwey, William B. Cox of the Osborne Association, and Warden Lewis Lawes, “we abandoned the idea of dealing with the history of penology. We felt that the murals would have more force if they treated only with prisons of our own time, both of an unenlightened nature and those which have been administered by individuals who believe in the need for penal reform.”
78. See Kao, Katzman, and Webster, Ben Shahn’s New York.
79. Laura Katzman, “‘Mechanical Vision’: Photography and Mass Media Appropriation in Ben Shahn’s Sacco and Vanzetti Series,” in Ben Shahn and the Passion of Sacco and Vanzetti, 58.
80. See the mural reconstruction in Kao, Katzman, and Webster, Ben Shahn’s New York.
82. Kao, Katzman, and Webster, Ben Shahn’s New York, 240.
83. Austin H. MacCormick, untitled manuscript, folder 1, box 8, AMC.
86. For a more general description of the NSPI’s activities, see Paul W. Garrett, “Report to the Board of Directors,” 1926, folder 1, box 11, AMC.
87. Ibid., 3.
88. Frank Tannenbaum, Darker Phases of the South (New York: Putnam, 1924), 86.
89. MacCormick, “Crime and Delinquency, Correctional Training and Treatment,” Bowdoin Lecture Series, lecture 3, 5, AMC.
90. Tannenbaum, Darker Phases of the South, 113.
92. Austin MacCormick, report to the 1934 annual meeting, Osborne Association, AMC.
94. Tannenbaum, Darker Phases of the South, 74.
95. Austin H. MacCormick to Thomas Mott Osborne, 23 April 1919, box 147, OFP.
97. Austin H. MacCormick to Thomas Mott Osborne, 1 Feb. 1920, box 152, OFP.
98. Garrett and MacCormick, *Handbook of American Prisons and Reformatories* (1929), xxxviii; Walter Wallack, *The Training of Prison Guards in the State of New York* (New York: Teachers College, Columbia University, 1938). One consequence of this view was a general tendency to recoil against indictments of the prison system that were seen as overbroad or too generalized. Sinclair Lewis presented a graphic version of prison life in *Ann Vickers* (1933), in which the title heroine is a bold reforming pioneer in women’s correctional vocational education, whose book *Vocational Training in Women’s Reformatories* becomes a widely read success. E. R. Cass, of the Prison Association of New York, reviewed the novel in the *Journal of Criminal Law and Criminology* ![1] and complained that Lewis had done reformers a disservice by painting the prison picture with too broad a brush. He wrote: “More good would have been served if the author had departed even slightly from his iconoclastic style and given more credit where credit is due.” E. R. Cass, “Ann Vickers” [Review], *Journal of Criminal Law and Criminology* 24 (Nov.–Dec. 1933): 814–17.


100. Austin H. MacCormick to Thomas Mott Osborne, 23 Jan. 1920, box 152, OFP.

101. Austin H. MacCormick to Thomas Mott Osborne, 22 Feb. 1920, box 152, OFP. “We have bucked up against a blanker wall than the bigotry of the civil population with regard to state prisons . . . We tried to chew solid stone and only a rock-crusher can do that.” Not long thereafter, Osborne wrote to MacCormick (March 1, 1920, box 152, OFP): “The way things are turning out, I advise you very strongly to send in your resignation at once. I am getting out of here just as soon as I can and things are looking pretty black for the future. You and I will both want to be able to speak the truth about the Navy.”

102. The Naval Welfare League at Portsmouth was dismantled, as were shipboard versions of the same. Captain Clark Stearns, who had toured naval facilities with MacCormick, was removed from his command of the USS *Michigan*. Navy Secretary Edwin Denby blasted the system as “soviet” and called for a return to the firm disciplinary regime.


104. Thomas Mott Osborne to Austin H. MacCormick, 2 Nov. 1923, box 2, AMC.


106. Ibid.

107. Austin H. MacCormick to Thomas Mott Osborne, 29 Dec. 1924. A brief exchange of telegrams in the first week of January 1925 indicate that Osborne was willing to consider coming out to Colorado as deputy warden. In the end, no offer was forthcoming. The exchanges are in box 2, AMC.

108. Austin H. MacCormick to Thomas Mott Osborne, 19 Jan. 1925, box 2, AMC.


111. “M’Cormick Assails Hoover on Parole.”


114. MacCormick, “There is No Truce.”


117. Ibid.

118. Ibid.


120. Greenfeld, Ben Shahn, 110–11.

121. Ibid., 109.

122. Ibid.

123. Shahn and Block, as well as Audrey McMahon, corresponded with Walter Thayer, Commissioner of the New York State Department of Corrections, in the summer of 1935. See Kao, Katzman, and Webster, Ben Shahn’s New York, 135.

124. Austin H. MacCormick to Thomas Mott Osborne, Jan. 26, 1925, box 2, AMC.


Chapter 2 • A New Deal for Prisons

1. Austin H. MacCormick, “Crime and Delinquency, Correctional Treatment and Training.” His Bowdoin lecture contains an interesting reflection on the 1929 riots at Leavenworth Penitentiary, and the extent to which the riots were a kind of focusing event that pushed federal reform spending through Congress. The Leavenworth riot “in a sense cleared the air, it scared the living daylights out of Congress; we had the backing of the president and an excellent attorney general by this time and we were able by talking about the riot and using it as a thing to scare them, to get appropriations such as nobody had ever got before . . . we were able in one year virtually to transform the whole federal prison system, at least to begin its transformation.” Likewise, William Cox (executive secretary of the Osborne Association), wrote in the association’s 1932 annual report that these riots “although disastrous in themselves . . . served to call attention to the futility of administering prisons on a purely custodial and punitive level.”


7. Blumenthal, Miracle at Sing Sing, praises Lawes’s efforts as warden. See also Lewis E. Lawes, “Are We Coddling Our Prisoners at Sing Sing?” Prison Journal (April 1922): 12–16. The manner in which Lawes continued Thomas Mott Osborne’s Mutual Welfare League was especially objectionable to MacCormick, who concluded in 1929 that the
league’s importance “as a strong moral force in the prison . . . has practically dis-


11. Blumenthal, Miracle at Sing Sing, 95.

12. Al Smith was deeply committed to the idea of prison reform. David R. Colburn persuasively makes this case in “Governor Alfred E. Smith and Penal Reform,” Political Science Quarterly 91 (1976): 315–27. Still, Smith’s efforts to stamp his imprint on the prison system failed to match his enthusiasm. Perhaps the most lasting of Smith’s contributions to New York’s prison reform program was his recommendation to rely on bond issues, rather than current revenues, to finance new prison construction. The long reluctance to do this had resulted in the massively overcrowded conditions in the twenties, and the embrace of long-term financing created the conditions for the state’s prison construction boom in the thirties, without which the reform regime could not have sustained itself.

13. Blumenthal, Miracle at Sing-Sing, 99.


18. Chamberlain, There is No Truce, 8.


22. “Three Found Guilty of Auburn Murder; 3 Others Acquitted,” New York Times, 16 Feb. 1930, 1. Four inmates in all were charged with murder and acquitted; the various trials gave extensive public airing of the many complaints prisoners had with how Auburn Prison was run.

23. In The Big House (1930), prisoners were involved in a prison break whose details were clearly based on the Auburn riot. The film received an Academy Award nomination for best picture, and screenwriter Frances Marion won an Oscar for her work. See Robert L. Hilliard, Hollywood Speaks Out: Pictures That Dared to Protest Real World Issues (Chichester, UK; Malden, Mass.: Wiley-Blackwell, 2009), 63–81.


25. Women’s clubs sent a large number of letters and petitions to Governor Roosevelt. See, for example, “Rochester Club Women Protect Life Term for Shoplifter,” Rochester Evening Journal, 10 Feb. 1930, 1.
26. Spencer Miller was head of the Workers Education Bureau, and an active figure in adult education reform. Thomas S. Rice was a Brooklyn lawyer who made something of a career out of promoting conservative crime control.

27. “Sees Baumes Laws as State Liability,” *New York Times*, 25 March 1930, 20; Rice’s performance also included a discussion of the first fourth-strike sentence handed down under the Baumes Laws, given to a “Negro” whose offenses consisted in getting intoxicated, stealing cars, and speeding through town with them. Rice contended that he was “more of a danger to us than ten professional gunmen.”


30. “Louis Howe,” series 1, box 41, FDR.

31. Felix Frankfurter to Franklin D. Roosevelt, 25 July 1929, folder 5, box 7, Sanford Bates Papers, Newton Gresham Library, Sam Houston State University [hereafter SBP]; Adolph Lewisohn wrote a long memo along the same lines to Lieutenant Governor Lehman. Adolph Lewisohn to Herbert H. Lehman, 11 Sept. 1929, HLP.


34. See Adolph Lewisohn to Franklin D. Roosevelt, 8 Nov. 1929, and Franklin D. Roosevelt to Adolph Lewisohn, 14 Jan. 1930, series 1, box 49, FDR. See also, from the same correspondence, Adolph Lewisohn to Franklin D. Roosevelt, 18 March 1930.

35. Sam Lewisohn to Franklin D. Roosevelt, 15 Jan. 1931, series 1, box 49, FDR.

36. Franklin D. Roosevelt to Adolph Lewisohn, 9 Dec. 1929, series 1, box 49, FDR.


39. “Dr. Thayer on the Job,” *New York Telegram*, newspaper clipping sent by Walter Thayer to Franklin D. Roosevelt, series 1, box 78, FDR.


42. Franklin D. Roosevelt to Marshall Field, 14 March 1930, box 20, LHP.


44. Franklin D. Roosevelt to Sam Lewisohn, 19 Feb. 1931, series 1, box 49, FDR.


47. Reducing the size of prisons was a key component of reformist thought during this period. See, for example, John Callender, “Planning the Fall of the Bastille,” *Survey*, June 15, 1931: “Designed functionally the prison of the future will bear little resemblance
to the Bastille of the last hundred years. It will probably suggest a hospital or school or small community rather than a fortress . . . 500 is about the ideal size.” A clipping of the article was sent to Roosevelt by George Gordon Battle, president of the National Committee on Prisons and Prison Labor, series 1, box 58, FDR.


51. Austin H. MacCormick, untitled manuscript, n. d., 24a, AMC.


54. An additional $7,000 came from the New York Foundation, and then a large contribution of $100,000 came from the Works Progress Administration as part of funds provided to New York State for adult education programs. “WPA to Help Prisoners,” New York Times, 5 Feb. 1936, 10.


57. Sheehan, A Prison and a Prisoner, 190.


59. Minutes of the meeting of the Commission for the Study of Educational Problems of Penal Institutions for Youth, 26 June 1935, New York State Library. See also New York State Commission for the Study of the Educational Problems of Penal Institutions for Youth, Progress Report Number 2 of the Educational Project at Wallkill State Prison Covering the Period May 10 to June 20, 1935.

60. In 1947, Woodbourne was redesignated as an institution for 16- to 21-year-olds of “borderline” intelligence (defined as IQ scores in the 71 to 85 range).


62. When Walter Wallack went on to a position as superintendent of Wallkill in 1940, he was replaced as director of education by former assistant director Glenn Kendall, and Kendall in turn was replaced by Price Chenault (who had started as director of education at Coxsackie). All three men were nationally known prison educators, found-
ers of the American Prison Association’s Committee on Education and later the Correctional Education Association. Between Wallack, Kendall, and Chenault, the pioneer reform group ran the Division of Education from its establishment in 1935 to its effective dissolution in 1970.

63. Wallack, Kendall, and Briggs, Education within Prison Walls, 34.
64. Ibid.
69. Ibid., 35, 43.
71. Minutes of the meeting of the Commission for the Study of Educational Problems of Penal Institutions for Youth, June 26, 1935, New York State Library.
79. Ibid., 6; Wallack, in “Wallkill, A Medium Security Prison,” says that 682 recruits passed though the Central Guard School between 1936 and 1940; by late 1941, more than 1,100 recruits and in-service trainees had passed through the Central Guard School.
youthful offender issue; this political contest informed much of the state-level handling of the youthful offender legislation. See also “New Group to Aid Young Offenders,” New York Times, 1 March 1941, 13, in which Curran complained to reporters, “I don’t understand where Dewey gets off appointing a committee to solve what he calls a ‘problem’ . . . This isn’t Dewey’s problem—it’s the Legislature’s responsibility.” Paul Blanshard called the issue the “knottiest and most vital” issue for the 1942 legislative session. Paul Blanshard, “Adolescents Pose Problem,” New York Times, 17 Nov. 1941, C18.


86. In 1940 the ALI also helped in the production of a radio series, Youth in the Toils. Episodes included “Boys Beyond the Law” (a young boy as he turns into a hardened criminal), “Girls Beyond the Law” (a young woman who starts as a shoplifter, enters a life of crime, and becomes pregnant), “A New Guy Joins the Club” (youth lured into a life with the gangs), and “Classrooms of Crime” (in jail for six months on suspicion). This thirteen-part series aired over the Blue Network of NBC, on Mon. evenings from 7:15 to 7:30. MacCormick himself presented one of the episodes.


91. The quote comes from the January 12, 1957, draft of the ALI report on “Sentencing and Treatment of Young Adult Offenders,” SBP.

92. Austin H. MacCormick to O. B. Ellis, 4 March 1958, folder 4, box 10, AMC.


97. Ibid.
100. Kendall, “Reception Centers.”
101. Ibid., 123.

Chapter 3 • Adolescents Adrift

1. Case file A, box 270, Coxsackie Case Files, New York State Archives [hereafter CCF]. The case files are drawn from a 5% sample of the entire run of Coxsackie case files held at the state archives. The names associated with each case file are pseudonyms, used to protect the identity of the young men at Coxsackie. The reference to the Coxsackie Case Files includes the box number, but not the specific file number. Since the file number is the inmate’s prisoner number, this would also potentially compromise the identity of a prisoner. The sampled files from each box are lettered in sequence, lettering that corresponds to a list of prisoner numbers in my possession. When references to Coxsackie prisoners come from published sources, such as newspaper articles or court cases, I have used their real and full names. Pseudonyms are identifiable by the use of first name and last initial.

3. Glenn M. Kendall, “Some Characteristics of Reception Center Youths (With Special Reference to the Field of Recreation),” *Journal of Correctional Education* 3 (July 1955): 43.
4. Ibid.
5. Case A, box 270, CCF.
7. Chein et al., *Road to H*, 121. Young men in the drug-using groups had family members with police records in 25% and 30% of the cases. The study also compared the extent of family alcoholism. The control group (12%) and the drug-using groups (8% and 20%) were both well below the 27% of Coxsackie inmates with alcoholic family members.
8. Case I, box 100, CCF.
9. Case F, box 210, CCF.
10. Frank S., case C, box 220; Walter B., case A, box 260; Walter M., case D, box 250, all in CCF.
11. Case E, box 160, CCF.
12. Case I, box 160, CCF.
13. Case H, box 90, CCF.
14. Case J, box 140, CCF.
15. Case J, box 140, CCF.
16. The quoted phrases come from, in order, case M, box 80; case A, box 110; case B, box 110; case E, box 110; case I, box 110; case J, box 170; case O, box 120; case H, box 140; case L, box 140; and case C, box 200, all CCF.
17. Case A, box 100, CCF.
18. Case G, box 110, CCF.
23. Case A, box 260, CCF.
27. Ernest N., a non-sampled case file from box 30, CCF.
30. Case G, box 110, CCF.
35. Chein et al., *Road to H*, 139.
36. Case A, box 80, CCF.
40. Savitz, “Automobile Theft.”

42. Non-sampled case file, box 240, CCF; David Wolcott, *Cops and Kids: Policing Juvenile Delinquency in Urban America, 1890–1940* (Columbus: Ohio State University Press, 2005), 180. As John Modell observes, “When families had to cut back, the realms in which they were most able to economize were precisely those areas that had become in the last decade so important to the new adolescent styles of life: recreation, automobiles, and clothing.” Modell, *Into One’s Own*, 129.

43. This is consistent with the observation made by Richard Wedekind in “Automobile Theft, The Thirteen Million Dollar Parasite,” *Journal of Criminal Law, Criminology, and Police Science* 48 (1957–1958): 443–46: “Most authorities agree that a majority of automobile thefts are perpetrated by juveniles with no intention of selling the stolen cars or converting them to their own use permanently.”

44. Harrison and Grant, *Youth in the Toils*, 29.

45. William J. Davis, “Stolen Automobile Investigations,” *Journal of Criminal Law and Criminology* 28 (Jan.–Feb. 1938): 720–38. It is worth noting that joyriding was defined as larceny in the New York State penal laws. Superintendent Helbing was no fan of joyriding prosecutions. He argued that “the real evil” of joyriding was the conviction of young men on grand larceny charges; he urged the state to pass a law mandating the locking of car doors. See “Locked Auto Seen Curb on Delinquency,” *Rochester Democrat Chronicle*, 6 Dec. 1939, 1.

46. See, generally, Schneider, *Vampires, Dragons, and Egyptian Kings*, on the development and nature of postwar youth gangs in New York City.

47. Case I, box 170, CCF.

48. Case H, box 270, CCF, and case A, box 330, CCF.


50. The growing concern over adolescent sex offenses should be balanced against Stephen Robertson’s argument in *Crimes Against Children: Sexual Violence and Legal Culture in New York City, 1880–1960* (Chapel Hill: University of North Carolina Press, 2005) that mid-century America began to normalize adolescent sexual activity, moving toward what he calls a “new leniency” (p. 199). Robertson (p. 182) explicitly links New York’s youthful offender legislation to this trend. One might consider that both could be true—an increased level of policing might well have gone hand in hand with a system that treated defendants as less mature and culpable than in the past.

51. Case A, box 200, CCF, and case L, box 70, CCF.

52. Case C, box 270, CCF.

53. Schneider, *Vampires, Dragons, and Egyptian Kings*, 134–135, also found that New York City gang members “assaulted male homosexuals, and some gang members engaged in same-sex relations, usually with [an] older male in exchange for cash or drugs.”


55. Cases B and C, box 230, CCF.

56. Case E, box 320, CCF.

57. Glenn M. Kendall, “Correctional Institutions and the Youthful Drug Addict,” *Journal of Correctional Education* 8 (April 1956): 52; 1951 was the peak year in this first
heroin epidemic, and the ERC percentage of heroin users gradually declined to about 10% in the 1955–1956 fiscal year. Austin MacCormick downplayed the narcotics problem, calling it a “temporary phenomenon.” “Narcotics Addiction Called Exaggerated,” *New York Times*, 26 May 1951, 19. Still, the 1951 case files show many of these heroin admissions. See, for example, cases A and B, box 300, CCF.

58. Case D, box 250, CCF.

59. Chein et al., *Road to H*, chapter 2 (“Neighborhood Distribution of Drug Use”) offers reasonably definitive evidence that 1951 was the peak year for new cases of adolescent heroin use in this first postwar epidemic.


62. See T. J. English, *The Savage City: Race, Murder, and a Generation on the Edge* (New York: William Morrow, 2011), 61: “Youth officers from the NYPD were liable to give an ass-whupping to any gang kid they caught—black, white, or Latino—but Negro gangs presented a special problem”; see also Schneider, *Vampires, Dragons, and Egyptian Kings*, 205: “Instead of enforcing the peace, nightstick justice reinforced resentment and ethnic hostility.”


67. The denial of legitimate access to family by the police emerges in Graziano, *Somebody Up There Likes Me*; Abubadika, *Education of Sonny Carson*; and in the cases discussed in Harrison and Grant, *Youth in the Toils*.


70. Harrison and Grant, *Youth in the Toils*, 36.

71. Ibid., 67.


74. Ibid., 50.


77. Case A, box 80, CCF.


79. Ibid.
82. Harrison and Grant, *Youth in the Toils*, 43.
83. Case G, box 160, CCF.
84. “Boy is Morally Ill, Judge Tells Brooklyn Court,” *New York Amsterdam News*, 4 Nov. 1944, 4B.
86. *LaMotta, Raging Bull*, 36.
87. Case F, box 100, CCF.
88. Case A, box 140, CCF.
89. Case B, box 200, CCF.
90. Case M, box 100, CCF.
91. Case G, box 100, CCF.
96. Case I, box 200, CCF.
97. Case H, box 260, CCF.
98. Case G, box 200, CCF.

Chapter 4 • Against the Wall

2. Ibid., 118–19.
3. The phrase comes from pseudonymous Frankie Moreno, who took the big train ride in the early 1960s. See Miller, *Untouchable*, 189.
4. The idea that prison life could be transformative (and not in a positive way) and produce prison-specific social relations has a long intellectual genealogy, going back at least to progressive era commentators such as Kate Richards O’Hare and Thomas Mott Osborne. Donald Clemmer was among the first to embed this thought in a more sophisticated social-scientific theoretical framework when he adapted social learning theory to explain what he called “prisonization.” Donald Clemmer, *The Prison Community* (Boston: Christopher, 1940). Clemmer’s prewar model was further developed in Gresham Sykes, *The Society of Captives: A Study of a Maximum Security Prison* (Princeton, N.J.: Princeton University Press, 1958), and still further in Erving Goffman, *Asylums: Essays on the Social Situation of Mental Patients and Other Inmates* (New York: Doubleday, 1961). Not long after Goffman’s work appeared, a counter-trend of work stressing the importance of preprison values, attitudes, and cultures appeared. Notable among these early works was Rose Giallombardo, *Society of Women: A Study of a Women’s Prison* (New York: Wiley, 1966). By the 1970s, these two literatures were each sufficiently well developed that they were cast as competing models. See Charles W. Thomas, “Theoretical Perspectives on Prisonization: A Comparison of the Importation and Deprivation Models,” *Journal*
Curiously, the era of mass incarceration has not been kind to research in this area. There has been less work than the subject deserves, and too much devoted to relatively narrow (though measurable) questions about prison discipline. See Matt DeLisi, Chad R. Trulson, James W. Marquart, Alan J. Drury, and Anna E. Kosloski, “Inside the Prison Black Box,” *International Journal of Offender Therapy and Comparative Criminology* 56 (June 2012): 1186–1207.

5. Abubadika, *Education of Sonny Carson*.
8. Case J, box 40, CCF.
17. Schneider, *Vampires, Dragons, and Egyptian Kings*, 87.
18. Philip Klein and Leonard Mayo quizzed Superintendent Helbing before the opening of Coxsackie on the matter of racial segregation, and he assured them that inmates would not be segregated behind bars. The nature of the question clearly implied that racial segregation had been the norm at the House of Refuge. See Leonard Mayo and Philip Klein, *Recommendations for the Administration of the New York State Vocational Institution* (22 March 1935), appendix, 13, box 1, series 1, Leonard Mayo Papers, Social Welfare History Archives, University of Minnesota Libraries. There is some evidence that racial segregation in cell and dormitory assignments continued at Coxsackie and ample evidence of informal racial rules concerning many institutional assignments. Harrison and Grant, *Youth in the Toils*, 104: “The Negroes have their own dining hall, a separate section in the auditorium, and separate tiers of cells.”
22. Casanova and Blackburn, *Each One, Teach One*, 53.
29. LaMotta, *Raging Bull*, 43.
31. Case L, box 160, CCF.
32. Case P, box 160, CCF.
34. Well-known professional fighters, such as Joe Louis, were held in great esteem. Former heavyweight champion James Braddock even visited Coxsackie to give an exhibition. Paul Grondahl, “Boxing ‘Cinderella’ Remembered on Film and in Real Life,” *Albany Times Union*, 3 March 2005, n. p. Earl W. was disciplined for cutting out a picture of Ezzard Charles knocking out Sam Baroudi, in the bout where Baroudi had been killed. Case H, box 200, CCF.
35. According to one ex-Coxsackie inmate, each of the reformatories developed their own particular fighting style: “They were prison martial arts, not traditional styles.” The styles included the “Woodbourne shuffle,” which involved getting close to an opponent; the “Comstock style,” which involved “the use of dirty fighting techniques”; and the “Coxsackie style,” a kind of close-quarters wall fighting. Legend had it that Floyd Patterson’s famous “peekaboo” boxing style came from Coxsackie, though Patterson took up the sport during a stay at the Wiltwyck School for juvenile delinquents and was never a prisoner at Coxsackie. See Anne Darling and James Perryman, “Karate Behind Bars: Menace, Or Means of Spiritual Survival,” *Black Belt* (July 1974): 16–21.
38. Case A, box 260, CCF.
42. Sullivan, *Tiers and Tears*, 24: “The Gees were supposedly the elite of the white fighting force, though probably almost half either knew someone from the street or paid five or ten cartons of cigarettes for the distinguished honor of standing with the Gees. There were really only a handful of dudes who could really thump (fight). The rest were phonies and were getting a free ride through the joint on their reputation.”
45. Case A, box 380, CCF.
47. Case J, box 120, CCF.
48. There are occasional observations regarding prison guards propositioning adolescent inmates, though these do not appear systematically. See, for example, Abubadika, *Education of Sonny Carson*, 53.
49. Case A, box 340, CCF; case L, box, 120, CCF.
50. LaMotta, *Raging Bull*, 63.
51. It should be noted that by the 1950s, the Elmira Reformatory had established a distinct special training unit for “passive homosexuals”—that is, those prisoners actively and willingly serving the passive role in sexual encounters.

52. Case F, box 370, CCF.
53. Non-sampled case, box 310, CCF.
54. Harrison and Grant, *Youth in the Toils*, 100.
55. Thomas, *Seven Long Times*, 80.
56. Case F, box 350, CCF.
57. Case F, box 170, CCF.

59. LaMotta, *Raging Bull*, 52; case K, box 160, CCF.
60. Weiss and Friar, *Terror in the Prisons*, 220.

63. Case A, box 80, CCF.
64. Case E, box 200, CCF. Likewise, Cornelius N. wrote, “I am being bulldozed and picked on. . . my life is being made miserable here. . . now a place like Sing Sing I would be more guarded there. . . I’m not asking you, I’m begging you on my knees to please send me to a different Institution.” Case D, box 20, CCF.
65. Thomas, *Seven Long Times*, 75.
67. Thomas, *Seven Long Times*, 139.
68. Case G, box 20, CCF.
69. Case B, box 350, CCF.
72. Case L, box 120, CCF.
73. Case L, box 120, CCF. Leonard P.’s case is hardly singular. Joseph M., according to his case file, “was given to aggressive homosexual behavior” and was sent to solitary indefinitely for allowing two other inmates to sodomize him in the tool room. Joseph slashed his wrists on several occasions, before being transferred to Napanoch as a “borderline mental defective.” Case M, box 140, CCF.
74. LaMotta, *Raging Bull*, 41.
76. “Helbing’s Farewell Message Bears Guidance for All Youth and Parents; Reveals ‘Goal,’” *Greene County Examiner-Recorder*, 7 Aug. 1941, 1.
77. Principal keeper was the title for the chief custodial officer in New York prisons. Philip Klein and Leonard Mayo, authors of the report, hoped as well that the principal keeper position would be downgraded below the level of assistant superintendent in the Coxsackie administrative organization. This did not happen, either, and the head of custody remained the effective number-two figure in the reformatory. See Klein and Mayo, *Recommendations for the Administration of the New York State Vocational Institution*. 


80. Harrison and Grant, *Youth in the Toils*, 100.

81. LaMotta, *Raging Bull*, 53.


84. Any undercounting results from one of two factors. First, in the case file sample are inmates who case records are incomplete, often because they were transferred to another institution, or because part of their file was passed along to another prison when they were re-incarcerated. In such cases, it is reasonable to speculate that at least some had been assigned to disciplinary cells while at Coxsackie. Second, the reporting of disciplinary cell assignment cannot be assumed to have been complete. Most of the time, a notation of such an assignment appears in the disciplinary record, but there is no reason to believe that every disciplinary action was properly recorded.


86. Miller, *Untouchable*, 200.


89. Case P, box 160, CCF.

90. Bagdikian, *Caged*, tells Lucky’s story of going to the hole for fighting a white inmate: “He was stripped of all his clothes and put naked into the barren cage. There was no mattress and no blanket on the slab bed. After three days he was given clothes, a mattress and a blanket. He considered himself fortunate. It was warm weather, so he did not get the ‘cold shoulder’—a custom that forced the naked prisoner to open the window in winter on pain of being beaten” (p. 250). It is worth noting that the elements in these inmate narratives from Coxsackie echo those in similar narratives from the old-line, big house prisons in New York. See, particularly, *Wright v. McMann*, 387 F.2d 519 (1967), a case from Clinton Prison that helped open the federal courts to New York State prisoners.

Edwin LaVallee, who later became warden of Clinton Prison. It was LaVallee who brought Follette to Clinton Prison as the principal keeper. With LaVallee as warden, Clinton became a center of conflict with the Black Muslims. See, for example, “Prisoner Group Held Anti-White,” *New York Times*, 31 Oct. 1959. According to a 1975 Jack Anderson column, LaVallee was known as “the godfather” in Clinton, and inmates complained of being “beaten, hosed down, harassed and subjected to degrading regulations such as repetitive rectal searches.” Jack Anderson and Les Whitten, “Inhuman Conditions Reported in Prison,” *St. Petersburg Times*, 21 Nov. 1975, 18. Sergeant Fritz refers to Harry Fritz, who became warden of Auburn Prison at the start of the 1970s, and who later became warden of Coxsackie (see chapter 8). He was known in both places as a traditional, pro-discipline prison administrator.


94. English, *Savage City*, 65. Dhoruba Bin Wahad became a Muslim while in prison for the first time, undergoing an awakening of political consciousness that was occurring throughout the reformatory system in the 1950s and 1960s, and which would find full expression still later in the adult prisons.

95. Sullivan, *Tiers and Tears*, 24; Case A, box 80, CCF.

96. Case I and case K, box 120, CCF.

97. Case H, box 110, CCF.

**Chapter 5 • Reform at Work**


5. Ibid., 173–74.

6. Ibid., 128–33.


10. The economy program reduced state contributions to local public school systems as well; see “N.Y. School Budget Is Slashed; Cut in Aid from State Blamed,” New York Times, 26 July 1939, 1.

11. Division of Education, Annual Report for Fiscal Year 1938–1939, 32–33. See also Wallack, Kendall, and Briggs, Education within Prison Walls, 68.

12. Future Plans and Costs for Education in Institutions in the New York State Department of Corrections (Ossining, N.Y.: Sing Sing Printing Class, 1941).


14. See “Record of Interview,” March 22, 1939, CCP.


18. Untitled manuscript, folder 2, box 3, AMC.


23. Ibid., 50.


25. The impetus for the course had been a working committee’s conclusion that “the present generation of youth” had been greatly influenced by the “low state” of public and private morality. “Department of Correction Launches Intensified Program of Training in Morals and Ethics throughout Its Institutions,” Correction 17 (Oct. 1952): 3–4.


36. Case D, box 10; case H, box 10; case J, box 10; case C, box 120; case H, box 200, all CCF.


38. Case K, box 280; case D, box 350; case D, box 300, all CCF.


45. New York State Commission of Correction, *Twenty-Ninth Annual Report*, 172–73, indicates that the carpenter shop was about 40% maintenance work, upholstery 80–90%, and the paint shop 90%. The tailor shop, in 1955, set a production record of 10,775 pieces of clothing, pillowcases, sheets, and towels.

46. Not until 1955 did the State Commission of Correction recommend paying Coxsackie inmates, “in view of the production character of some of the vocational shop activities.” Commission of Correction, *Twenty-Ninth Annual Report*, 175. Starting the following year, Coxsackie prisoners finally began to receive five cents a day in wages.

47. Case I, box 100, CCF.

48. Non-sampled case file, box 30, CCF.

49. Case A, box 100; case A, box 310; case B, box 110; case A, box 150, all CCF.

50. Case J, box 180, CCF.


55. Case I, box 150, CCF; case L, box 150, CCF.

56. Case D, box 250, CCF.

57. Non-sampled case file, box 360, CCF. Coxsackie introduced the “Waiting on Table” program in 1952. The content of the course included “the qualifications of a
waiter, getting ready for work, taking and filling orders, service during the meal, meeting emergencies, and employer-employee relationships.” “N.Y.S.V.I. Offers Course on ‘Waiting on Table,’” Correction 17 (Oct. 1952): 13.

58. Non-sampled case file, box 360, CCF.
59. Non-sampled case file, box 390, CCF.
62. Thomas, Seven Long Times, 93–94.
63. Ibid., 94.
64. Case I, box 140, CCF.
65. Case F, box 40, CCF.
66. Case D, box 300, CCF.
67. Case D, box 340, CCF.
disobedience, insolence, refusing to work, idleness, contraband, failure to obey orders, smoking, gambling, and leaving his work assignment: “Putz is no good. Putz knows that he is no good. Putz knows that I know he is no good.” Case E, box 300, CCF.


76. Rafter, *Creating Born Criminals*, 216.

77. IQ testing was universal at Coxsackie from the day it opened in 1935; in February 1938, the New York State prison commissioner ordered that psychologists in all institutions immediately conduct IQ tests on all fourteen thousand inmates in their institutions. See New York State Department of Corrections, *Second Annual Report of the New York State Vocational Institution* (New York: Department of Corrections, 1937), 51, and *Third Annual Report of the New York State Vocational Institution* (New York: Department of Corrections, 1938), 39.

78. Case J, box 160, CCF.


80. Case I, box 30, CCF.

81. Case H, box 10; case H, box 50; and case M, box 140, all CCF.

82. Cases I and J, box 20, CCF.

83. McCartney intended every transfer to Napanoch to be held for the rest of their lives under supervision, recommended more cases for transfer than were ever actually undertaken, and even attempted to have inmates at the expiration of their sentences sent to Napanoch (see, for example, the case of Richard F., case H, box 10, CCF). McCartney, in *Understanding Human Behavior* (New York: Vantage Press, 1956), placed a heavy emphasis on heredity, observing, “intelligence is fixed at conception” (p. 19). His view was highly racialized—“This has nothing to do with training. It is a question of breeding” (pp. 20–21). McCartney also concluded that true educational success required at least an IQ of 120. No inmate tested that high.


86. This concept was subjected to an early and devastating attack by Michael Hakeem, “A Critique of the Psychiatric Approach to Crime and Correction,” *Law and Contemporary Problems* 23 (1958): 650–82.


88. Case D, box 180, CCF.

89. Case C, box 20, CCF.


93. Cases D, F, and J, box 280, CCF.

**Chapter 6 • A Conspiracy of Frustration**


5. Case E, box 200, CCF.


7. Never-paroled inmates generally included the most serious disciplinary problems at the institution. Earl W., warned before his first hearing that “your actions will govern what our decision at that time will be,” and before his next that “if you work for a break, you don’t have to ask for one,” accumulated twenty-seven disciplinary reports (the third highest of any prisoner in the case file sample) and was never paroled. Within a year of his release, Earl was headed to Sing Sing after pleading guilty to a new burglary charge. Case H, box 200, CCF.


9. Case D, box 170, CCF.

10. Case F, box 170, CCF.

11. Cases A and B, box 180, CCF.

12. Case H, box 200; cases F and H, box 210, all CCF.

13. Case A, box 160, CCF.

14. Indeed, he was held—the program committee held him for three more months before a successful parole hearing. Case F, box 230, CCF.

15. Case A, box 300, CCF.


17. Mack, “An Open Letter to the Parole Board,” 8. See also Lumumba Shakur’s account of facing the parole board at Great Meadow in 1963. Asked if he was sorry for his

18. Case G, box 30, CCF.
19. Case D, box 20, CCF.
20. Case A, box 320, CCF.
21. Case D, box 60, CCF.
22. Case F, box 200, CCF.
23. Case F, box 20, CCF.
24. Case E, box 50, CCF.
26. Case E, box 360, CCF; case F, box 90, CCF.
27. Case D, box 150, CCF.
28. Cases D and E, box 40, CCF.
29. Case J, box 100, CCF.
30. Case G, box 10, CCF.
31. Case B, box 20, CCF.
32. Case F, box 100, CCF.
33. Case A, box 10, CCF.
34. See cases D and E, box 270, and case B, box 20, all CCF.
35. Case H, box 300, CCF.

37. Case C, box 10, CCF.
38. Case I, box 200, CCF.
39. Case B, box 30, CCF.
40. Case J, box 140, and case J, box 80, CCF.
41. Case C, box 100, CCF.
42. Case C, box 60, CCF.
43. Case A, box 10, CCF.
44. Case E, box 10, CCF.
45. Case C, box 30, CCF.

47. Case F, box 30, and cases C and H, box 50, CCF.
48. Case E, box 60, CCF.
49. Case files include prisoners sent to camps in Oregon (case E, box 60, CCF) and Nevada (case L, box 90, CCF). There were some exceptions. Mario A. was expelled from a CCC camp for encouraging the men in the camp to go on strike. See case I, box 70, CCF. Jack W. (case B, box 60, CCF) was stabbed to death on the day he left a CCC camp in Utica.

50. As a consequence, parolees from Coxsackie continued to go into the CCC through early 1941. For more on the issue of parolees in the CCC, see Margot Canaday, *The Straight

51. This inmate was inducted into the army a year after finding work as a printer and was killed in action in July 1944.

52. Case A, box 100, CCF.

53. Case F, box 280, CCF.

54. Case C, box 300, CCF.

55. Case F, box 320; case N, box 100; case C, box 180; all CCF. This policy doesn’t seem to have been followed consistently. Near the end of his term as superintendent of Coxsackie, Glenn Kendall cheerfully supplied former prisoner Gordon M. with a certificate of accomplishment in electrical work, noting, “I hope this certificate will be of help to you. Good luck!” Case A, box 240, CCF.

56. See the reports of the Osborne Association for the years 1933, 1934, 1936, and 1939, all presented at the annual meetings of the Osborne Association, in AMC; Cox quote comes from the 1934 report, page 8; “Elmira Reformatory, Elmira,” Prison World (Jan.–Feb. 1942), 26.


58. See, for example, the effort by Coxsackie to establish a vocational placement program for reformatory parolees by working with unions and business. See New York State Commission of Correction, Thirty-First Annual Report (1957), 165; and New York State Commission of Correction, Thirty-Second Annual Report (1958), 165. As late as 1969, Price Chenault remained committed to expanding inmate vocational and postrelease employment opportunities. See Glenn Kendall to Lithgow Osborne, March 18, 1969, AMC.

59. For inmates in the case file sample released during the war itself, the percentage serving in the military was slightly higher, at 26% (27 of 103).

60. Case M, box 100, CCF.

61. Case C, box 30; case D, box 50; case O, box 140; and case B, box 150, all CCF. For draftees, wartime service interrupted more promising marriage and work situations. Peter F., pleased with his work as a printer in Albany, was married early in 1942. “We both know,” Peter wrote his parole officer, “that our getting married will not stop me from going in the draft. I have a good job and am working steady and feel that we can get along on this.” Two months later, Peter was inducted into the army, and he died in military service in July 1944. See case A, box 20, CCF.

62. Case A, box 150, CCF.

63. See case E, box 50 (sentenced to U.S. military prison at Green Haven); case G, box 60 (under psychiatric evaluation in an army hospital following unspecified criminal conduct); case E, box 80 (arrested for robbery while in U.S. Army); case F, box 80 (given a four-year sentence as a U.S. Army deserter); case F, box 90 (given a five-year sentence as a military deserter); case N, box 90 (sentenced to five to ten years in Sing Sing after induction into the U.S. Army); case D, box 120 (sentenced by military for being AWOL and escaping confinement); case E, box 140 (under psychiatric observation at a naval hospital); case R, box 170 (charged with being AWOL); case H, box 220 (charged with being AWOL).
64. Case E, box 160, CCF.

65. Case F, box 120. Consider also the case of Howard G., “one of the most capable bakers that has been trained in this institution.” Paroled in 1940, rearrested for petty larceny but acquitted, he enlisted in the army in late 1940 but stole the family car and disappeared before actually reporting for duty. Returned to Coxsackie for violation of parole, Howard was released in early 1942 to serve several months of military time for desertion. He was drafted by the army in 1943 but was sentenced to a five- to ten-year term in Sing Sing before he could report for duty. Case N, box 90, CCF.

66. A study conducted by the DOC of 950 adolescent males paroled from reformatories between June 1957 and May 1958, showed that 371, or 39.1%, were returned for violation of parole (the subgroup of Coxsackie inmates returned for violation of parole was also 39%). See Russell G. Oswald and Paul D. McGinnis, Parole Adjustment and Prior Educational Achievement of Male Adolescent Offenders, June 1957–June 1961 (Albany: New York State Division of Parole, 1961).

67. The Oswald-McGinnis study also found no statistically significant differences between parole completers and parole violators, based on IQ, race, age, or educational progress while confined in reformatories.

68. The literature on prison reentry has become quite robust. Jeremy Travis notes that “the odds against successful reentry are daunting,” and that two-thirds of released prisoners will be arrested for one or more crimes. Travis, But They All Come Back: Facing the Challenges of Prisoner Reentry (Washington, D.C.: Urban Institute Press, 2005), particularly chapter 5, “Prisoner Reentry and Public Safety,” which offers a useful overview of the contemporary research literature on postrelease criminality.

69. Case A, box 30, CCF.


71. Jake LaMotta recalled deciding to pursue boxing upon his release from Coxsackie and facing the anger of his best friend, who challenged him: “What are you gonna do for eating money? Join your old man in the peddling business?” Likewise, he angered the local mobster who wanted to represent him: “Want to make it own your own yet? You know what you can make on your own, don’t you Mister Chump? Nothin’, that’s what!” LaMotta, Raging Bull, 74, 80.


73. English, Savage City, 180.


75. Case I, box 170, CCF.

76. Cases C and H, box 100, CCF; case A, box 50, CCF.

77. Case E, box 30, CCF.

78. See case B, box 180, in which Warren W. was convicted for beating a man to death two years after his parole from Coxsackie, a crime for which he could give no explanation.

evidence that Berman, Joseph Augello, and their wives had committed a series of crimes. A gasoline ration book found in their possession after the Syracuse murder and robbery belonged to a Cleveland, Ohio, man who had been held up, robbed, and left tied to a tree. Other holdups in Utica and Albany were linked to the foursome. See “‘Honeymoon Bandits’ Crime Wave Betrayed by Red Coat,” Milwaukee Sentinel, 16 Jan. 1944, 8. Augello pled insanity at their trial, and the two men were convicted in March 1944. See “Augello, Berman Found Guilty of Tavern Slaying,” Grape Belt and Chautauqua (NY) Farmer, 10 March 1944, 1. The two participated in a mass escape from the Erie County jail while in custody. They were picked up trying to board a freight train at a railyard east of Buffalo, shivering and hanging on to the sides of a tank car. See “Three of Eight Prisoners Nabbed by Sheriff’s Staff,” Avon (NY) Herald News, 10 Feb. 1944, 1.


Chapter 7 • The Frying Pan and the Fire

1. Schneider, Vampires, Dragons, and Egyptian Kings, 57, points out, “The wartime juvenile crime wave was produced as much by the effort to curb youthful behavior as by the growth of misbehavior itself,” though he also acknowledges that wartime disruptions to family and community provided opportunities for adolescents to exercise a newly rebellious attitude. See chapter 2, “Discovering Gangs,” more generally.


3. Coxsackie was hardly unique in this regard. Given how significant disciplinary transfers were as a resource of control for prison authorities more generally, it is surprising that they have received virtually no attention from prison historians.

5. Abubadika, Education of Sonny Carson, 51.
8. Schneider, Vampires, Dragons, and Egyptian Kings, 163.
9. Case C, box 220, CCF.
10. Case H, box 180, CCF. James was held until the maximum expiration of his sentence.
11. See case H, box 70; case L, box 160; case P, box 160; all CCF.
12. Case G, box 300, CCF.
13. Case F, box 350, CCF; Angelo was a serious disciplinary problem and held for the maximum expiration of his sentence.
14. The Department of Corrections would not send those convicted of drug sale violations to Coxsackie; in 1955, eighty-three young men convicted of narcotic sale offenses
went to Elmira, while none at all went to Coxsackie. See New York State Commission of Corrections, *Twenty-Ninth Annual Report*, 444.

15. Case B, box 300. William, on his return to Coxsackie, was held for the maximum expiration of his sentence.


17. Case C, box 320, CCF.

18. Case C, box 320, CCF.

19. Case C, box 320, CCF.

20. Glenn Kendall felt the youthful offender designation was being poorly used by the courts, resulting in Coxsackie receiving large numbers of young men “who are so seriously disturbed or so badly conditioned that the chances for rehabilitation are small indeed.” Glenn Kendall, “Youth Offender Procedures—The Reception Center,” paper delivered at the 41st Annual State Conference of Probation Officers, West Point, New York, Oct. 20, 1949, unpublished manuscript, AMC.


22. The search for an end-of-the-line solution for adolescent offenders had at least two parallels in postwar New York social policy. In the juvenile system, the state took over the old New York City Reformatory at New Hampton in 1957, with the intention of using the institution to house youths too aggressive for the juvenile reform schools at Warwick and Industry. In a second parallel development, the New York City school system responded to delinquency and youth violence with the creation of the “600” schools for troubled youth, and a smaller number of “700” schools for older delinquent students. For more on the 600 schools, see the excellent study by Daniel Hiram Perlstein, *Justice, Justice: School Politics and the Eclipse of Liberalism* (New York: Peter Lang, 2004).


24. I was fortunate that the inmate case files from Great Meadow extended just far enough chronologically to capture the shift to a transfer institution. These cases are all drawn from boxes 314–320 of the Great Meadow Inmate Case Files at the New York State Archives. I reviewed every file in these boxes, not all of which were transfers from Coxsackie. Some came directly from the Elmira Reception, others from Elmira and Woodbourne, and a few from the maximum-security prisons. It should be noted, however, that more came from Coxsackie than anywhere else.


27. Conboy would remain as the warden of Great Meadow until his retirement in 1972. His retirement was preceded by another major disturbance. See Emanuel Perlmutter, “Guards Put Down Disorder in Great Meadow Prison,” *New York Times*, 16 Sept. 1971, 49. Scott Christiansen recalled a visit to Great Meadow right around the time Conboy retired, observing that the warden appeared to be “a relic from another century” who

28. Thomas, *Seven Long Times*. One of Thomas’s friends, Bayamon, warned the younger cons: “You cats better believe it, you can pick up all the sticks and stones you want and do all kinds of numbers with your fists, but you better dig that it’s gonna take more than heart to go against guards and state troopers and, dig it, even the armed forces if need be. They’d send planes in to strafe this fucking place if they had to. I’m in for the idea, but not for it coming out of thin air” (p. 189).


31. The Comstock riot is well described by Piri Thomas in *Seven Long Times* and *Down These Mean Streets*. See also, “Clubs Quell Riot in Upstate Prison,” *New York Times*, 19 Aug. 1955, 40.


35. “Keeplocked” refers to the practice of keeping an inmate confined in his cell for disciplinary reasons. Keeplocked inmates could not participate in the regular daily schedule of prison activities. Great Meadow Case Files, boxes 318 and 320.

36. Case C, box 380, CCF.


38. English, *Savage City*, 65–66. By the 1960s, Great Meadow prisoners in disciplinary cells were also having their heads shaved bald, according to one account.


41. Ibid.

42. Thomas, *Seven Long Times*, 219.


44. See Gottschalk, *Prison and the Gallows*, 171–76. That the concentration of disaffected minority youth under racially discriminatory conditions should have produced political consequences is not surprising. This is consistent with basic argument made by Daniel Kryder that wartime mobilizations during World War II fundamentally altered the American racial dynamic and gave momentum to the movements for civil rights and racial equality. The prison was simply another setting in which the configuration of race in America was reshaped. See Daniel Kryder, *Divided Arsenal: Race and the American State During World War II* (Cambridge: Cambridge University Press, 2000).

45. The quote comes from Lumumba Shakur, in Balagoon, *Look for Me in the Whirlwind*, 180. This is not unlike the Harlem activists Martha Biondi has studied, who “discursively linked police brutality in New York to southern lynching and racist violence, but they offered a distinct analysis of urban police brutality.” Biondi, *To Stand and Fight*, 70.

47. English, *Savage City*, 66–67. Bin Wahad also read the work of J. A. Rogers, a pioneering scholar of African history and anthropology. According to *Savage City*, Rogers’s writings “were so prized in prisons that inmates painstakingly copied his pamphlets by hand so that more inmates could have access to them” (p. 66).


55. Barbara Lavin McEleney interviewed Vito Ternullo, a longtime ally of the reform interests within the New York State Department of Corrections. Ternullo believed that the growth in black and Puerto Rican inmates was the number one issue for security personnel in the New York State system and was one motivator behind their push for new institutions in the system, a push that began with the adoption of Great Meadow as a transfer reformatory and developed into the proposal for a further-down-the-end-of-the-line prison in 1963. That prison was not constructed, in part owing to the modest declines in overall prison population. See Barbara Lavin McEleney, *Correctional Reform in New York: The Rockefeller Years and Beyond* (Lanham, Md.: University Press of America, 1985).


58. Armand Schaubroeck’s recordings remain as powerful as ever, though not nearly as well-known as they should be. The best overview of his Elmira project is Elwood Mole, “Armand Schaubroeck Steals,” *Perfect Sound Forever* (April 2006), www.furious.com/perfect/armandschaubroeck.html.

Chapter 8 • Out of Time

1. The crisis of the liberal prison is well documented, but the deep roots of that crisis are not well understood. Francis Cullen and Karen E. Gilbert, in *Reaffirming Rehabilitation* (Cincinnati, Ohio: Anderson, 1982), 82, assumed the dominance of liberalism in
corrections into the late sixties: “Rehabilitation thus remained unchallenged as the dominant correctional ideology. There seemed to be little chance that there would be a call either to revert to the punitive principles of bygone days or to abandon the quest to build upon the foundation of the therapeutic state.” Recent historical scholarship has begun to develop a clearer picture of the significance of conservative politics during the “liberal” era of crime and punishment. Michael W. Flamm, Law and Order: Street Crime, Civil Unrest, and the Crisis of Liberalism in the 1960s (New York: Columbia University Press, 2005) is a useful account, particularly as it explores the 1950s-era foundations of law-and-order politics. See also Gottschalk, Prison and the Gallows, and Theodore Hamm, Rebel and a Cause: Caryl Chessman and the Politics of the Death Penalty in Postwar California, 1948–1974 (Berkeley: University of California Press, 2001).

2. Bertram M. Beck, Youth within Walls.


8. Beck, Youth within Walls, 18–19, 32.

9. Ibid., 24, 27.

10. Ibid., 17.

11. Ibid., 42.


E. R. Cass represented the Prison Association of New York. Bertram Beck attended, as did Austin MacCormick.


22. The entire discussion of Roger V.’s case comes from case B, box 380, CCF.

23. This quote comes from the original 1965 study proposal, part of the New York State Department of Corrections records at the New York State Archives.


26. *Characteristics of Inmates Under Custody* in New York State Correctional Institutions (Dec. 31, 1962), Department of Corrections, Division of Research (New York State Department of Corrections, 1963). The IBM punch card data were collected and maintained by the division, who systematically compiled information on every inmate entering and leaving the Department of Corrections. First published in 1963 and collected for 1962, the punch card data were collected at some point between the authorization of the division in 1954 and the 1962 collection, but exactly when is unclear.


28. New York State Division of Parole and New York State Department of Corrections, *Parole Adjustment and Prior Educational Achievement*.


31. The initial sample of 220 cases was reduced to 186 by eliminating deceased, fugitives, and former Elmira Reception Center prisoners who were living out of New York State. Of the 186, a total of 112 were located in time to complete the pilot project in 1967, and 106 of those agreed to participate in the study, reflecting a generally quite agreeable response of former inmates (though it is obviously hard to speculate on the actual response of ex-prisoners to being contacted for the project).

32. Legislative Budget Hearing, Department of Corrections, 20 Feb. 1967, series 3, box 5, Howard F. Miller Papers (hereafter HMP), M. E. Grenander Department of Special Collections and Archives, University at Albany, State University of New York.

33. Ibid..

34. Robert E. Lynch to John R. Dunne, 18 Feb. 1966, Penal Institution Committee Files, John R. Dunne Papers (hereafter JRDP), M.E. Grenander Department of Special Collections and Archives, University at Albany, State University of New York.

35. Statement by Paul D. McGinnis, Commissioner of Correction, State of New York at a Public Hearing of the New York State Senate Committee on Penal Institutions, Albany, 27 March 1968, Penal Institution Committee Files, JRDP.
37. Ibid., 45–46.
38. Ibid., 57.
39. Ibid., 212.
40. Ibid., 29.
41. Ibid.
42. Karl Menninger to Austin H. MacCormick, 18 March 1969, AMC.
43. The same may be seen in MacCormick’s response during a meeting of the Crime Control Council, Citizens Advisory Committee of the Governor’s Special Committee on Criminal Offenders (St. Albans, New York, 1968), held at the Roosevelt Hotel.
44. Crime Control Council, Citizens Advisory Committee of the Governor’s Special Committee on Criminal Offenders, 13.
45. Ibid., 33–34, 36. Meanwhile Donald H. Goff of the Correctional Association of New York rather lamely praised the report, which “we believe will set guidelines for the next 50 years.” Ibid., 60. For works opposing the discretion that lay at the heart of the rehabilitative regime, see Kenneth Culp Davis, Discretionary Justice: A Preliminary Inquiry (Baton Rouge, La.: Louisiana State University Press, 1969), and Marvin E. Frankel, Criminal Sentences: Law without Order (New York: Hill and Wang, 1973).
46. Preliminary Report, 301–302. The list included inadequacy, immaturity, dependency, ill equipped in social skills, ill equipped in education, vocational maladjustment, cognitive deficiency, compulsive pathology, organic pathology, antisocial attitudes, career commitment, catalytic impulsivity, habitual impulsivity, asocial attitudes.
47. Ibid., 307.
48. Ibid., 311.
49. Ibid., 26.
50. Crime Control Council, Citizens Advisory Committee of the Governor’s Special Committee on Criminal Offenders, 12.
53. Ibid., 189.
54. Ibid., 190.
55. Numerous scholars have observed a connection between civil rights and prison activism, usually observing that the legal branches of the civil rights movement turned to prison litigation as more and more activists went to jail. See, for example, Gottschalk, Prison and the Gallows, 177. On the other hand, Martha Biondi, To Stand and Fight, 71, perceptively suggests that civil rights attorneys had often acted as public defenders, suggesting a path from jail to civil rights, rather than the other way around.


59. Sociologist Donald Cressey succinctly laid out the critical perspective: “A research study which seemed to show that attending a prison school had little or no effect on the reformation of criminals would not necessarily lead to abandoning the school program. Rather, the ‘intangible benefits’ of education would probably be enumerated . . . in our society, education is a Good Thing, and schools must be maintained in prisons and justified as corrective (‘good’ men are educated; therefore, to make bad men good, educate them) whether or not there is any scientific evidence of their effectiveness.” Donald R. Cressey, “The Nature and Effectiveness of Correctional Techniques,” *Law and Contemporary Problems* 23 (autumn 1958): 754–71, quotation on 760. See also Joseph W. Eaton, “Symbolic and Substantive Evaluative Research,” *Administrative Science Quarterly* 6 (March 1962): 421–42.

60. Ciepley, *Liberalism in the Shadow of Totalitarianism*, 194, see also 240–41.

61. Martinson argued that California was a model of the modern alliance between treatment professionals and prison administrators, where “centralized control was combined with efficient classification . . . middle management was trained in group treatment techniques and custodial ranks were indoctrinated with the new perspective which came to be called the ‘correctional therapeutic community.’” Robert Martinson, “The Paradox of Prison Reform— I, The Dangerous ‘Myth,’” *New Republic*, 1 April 1972, 24.


64. Ibid., 24.


66. Ibid., 200–201.

67. Ibid., 224.


72. Ibid., 19.


74. Ibid., 49. The larger project, once published, was commonly, if inaccurately, referred to as “the Martinson Report.” For a vigorous early critique from within the correctional bureaucracy, see Ted Palmer, “Martinson Revisited,” *Journal of Research in Crime and Delinquency* (1975): 133–52.


83. “It Has Come to Our Attention,” *Federal Probation* 43 (1979), 87. Martinson remains a figure of some mystery, with many accounts of his death failing to even correctly identify the year in which he committed suicide.

**Chapter 9 • Floodtide**


2. Ibid., 189.

3. Ibid., 190.


5. This account of the Coxsackie experience reinforces Marie Gottschalk’s essential observation that “remarkable transformation took place in the interest groups and social movements involved in criminal justice” during this period. See Gottschalk, *Prison and the Gallows*, 40.

6. See, for example, Paul D. Meunier and Howard D. Schwartz, “Beyond Attica”; specific testimony to this effect came from Wim Van Eekeren, deputy commissioner of administrative services, and from Frank Daley, director of the budget.


10. Barbara Lavin McEleney, *Correctional Reform in New York*, 29–30; McEleney’s fine account employs interviews with a number of important figures from the period.

11. Ibid., 22.

12. Ibid., 32, quoting a former legislative aide to the committee.

13. Ibid., 32.


18. Prison population totals also miss developments like the court rulings that required the state to largely empty its institutions for the criminally insane. At the start of 1966, Matteawan and Dannemora housed 2,597 prisoners, a number that had been reduced to 998 by the spring of 1968, as prisoner inmates were shifted to state hospitals.

19. The New York City jail uprisings of August and October 1970 were the most notable product of this overcrowding. One of the most useful accounts of the 1970 jail rebellions is Diaz-Cotto, *Gender, Ethnicity, and the State*, 35–45.


32. Diaz-Cotto, Gender, Ethnicity and the State, 104.


36. John Burke to Honorable J. J. Marchi, 8 March 1976, series 2, box 1, Council 82 Papers. One union member put it this way: “I was one of the most vocal opponents Mr. Schwartz had or ever will have in his life—he was an ultraliberal, sick member of our society while local correction officers are conservative and vehemently opposed to Schwartz because of his behavior at Attica and his views on rehabilitation.” Jacobs and Crotty, Guard Unions and the Future of the Prison, 35.


42. McEleney, Correctional Reform in New York, 136.


44. Correctional Services News (July 1981), box 5, Correctional Association of New York Papers, M. E. Grenander Department of Special Collections and Archives, University at Albany, State University of New York.

45. Lewis B. Oliver, Jr., “Summary of Testimony,” series 5, box 1, New York State Coalition for Criminal Justice Records (hereafter CCJR), M. E. Grenander Department of Special Collections and Archives, University at Albany, State University of New York.

46. The accounts of violence against inmates were consistent with what had been reported for years, but prisoner charges were now given a more public airing. One inmate
cautioned legislators, “When they talk about special housing they don’t mention the beating you get on the way up.” Annabar Jensis, “Legislators Grill Ward At Committee Hearings,” Greene County News, 16 Feb. 1978, 1, 8. In June 1977 four officers were involved in an assault on inmate Jerome Handy, who was badly beaten. Handy was charged with assault but acquitted by a Greene County jury in June in a rare defeat for officers in the local criminal justice system. See Oliver, “Summary of Testimony” CCJR.

47. Jeff Sommer, “Coxsackie: A Look Inside,” Knickerbocker News, 1 March 1978. In 1974, Coxsackie had only six Spanish-speaking officers in the institution; see John E. Van De Car, Director of Manpower and Employee Relations to Thomas Holland, Chairman of the [Council 82] Corrections Policy Committee, Correctional Policy Committee Meetings, 1974, series 2, box 2, Council 82 Papers. Correctional officers were not particularly concerned about the lack of diversity among them, arguing that it was a natural effect of the location of state prisoners and the standards of merit-based civil service. “No one from the minority groups is being discriminated against” was the position of the officers; John J. Panella to State Senator John Dunne, 12 July 1967, Penal Institutions Files, JRDP. Bryant Collins, “Where I’m Comin’ From,” New York Amsterdam News, 5 Feb. 1972, A1, pointed out that Coxsackie had just one black guard at the start of 1972, David Harris, and he was being transferred, leaving no black guards at all at the former reformatory.


51. “Prisoners Stop Work in Food Dispute,” New York Times, 11 Aug. 1973, 23. A spike in protests coincided with the arrival of Harry Fritz as superintendent, which represented a huge victory for the custodial staff. Fritz had been a sergeant at Coxsackie back in the 1950s and had risen through the custodial ranks to the position of warden. He had been known as a tough-minded officer when he was first at Coxsackie (harsher assessments came from the inmates; see chapter 5); moreover, he had long been active in promoting the labor interests of correctional officers. Fritz arrived after serving as warden of Auburn during its 1970 uprising, which he blamed in testimony to the state legislature on the “permissive attitude” of the previous administration. See “Prison Practices Aired As 9 Testify At Hearing,” Schenectady Gazette, 17 Dec. 1970, 9.

52. Oliver, “Summary of Testimony,” CCJR; Oliver observed that “being so young, the Coxsackie blacks do not have the maturity to understand that all whites are not bad and keep their reactions [to official racism] from being generalized to all whites, including fellow prisoners.”


54. Elizabeth Gaynes described the basis for officers’ resentment: “Perhaps Mr. Ternullo’s alleged leniency refers to the large number of volunteer programs he permitted and encouraged to supplement the limited programs which the budget and central office offer. Or maybe it’s the emphasis he placed on education. Or the display of inmate art on his office walls. Perhaps the respect he received from inmates and their attorneys discredited him.” Elizabeth A. Gaynes, “Summary of Testimony,” series 5, box 1, CCJR.
55. Among the ILC’s objectionable behavior, they apparently selected the film *Texas Chainsaw Massacre* to be shown. Permission to do so was only revoked after protests from correctional officers. Annabar Jensis, “New Warden and Policies for Coxsackie Institution,” *Greene County News*, 26 Jan. 1978, 1, 3.


57. Oliver, “Summary of Testimony,” CCJR.


59. Council 82 Executive Board Files, minutes, 24 Jan. 1977, series 1, box 1, Council 82 Papers.


62. Memorandum, Robert Maloney, policy chairman, 4 April 1977, series 2, box 2, Council 82 Papers.


64. In April 1979, Council 82 reversed its tentative acceptance of a state contract, leading to a systemwide strike later that month, led in part by the resistance of union locals at Elmira, Great Meadow, and Coxsackie. The Elmira local had successfully sued to enjoin the implementation of the 1977 contract agreement between Council 82 and the state; Jacobs and Crotty, *Guard Unions and the Future of the Prison*, 17. Two years later, the union did renege on an agreement because of locals’ discontent, which precipitated a full-blown prison officers’ strike. See Richard J. Meislin, “Prison Guards’ Chief Jailed as Strike Enters 9th Day,” *New York Times* 28 April 1979, 1, 28. Officers there claimed, “In five or six years it will be renamed ‘the Elmira Recreational Facility,’” and “the prisoners up there have it better than we do.” See also Alan Richman, “Striking Guards Say They Are the Prisons’ Real Inmates,” *New York Times* 27 April 1979, B1. The state refused to reopen negotiations, which led to the strike. Sheila Rukle, “Talks Begin in Strike by Prison Guards,” *New York Times* 21 April 1979, 26.


66. Ibid.

67. Memorandum from Benjamin Ward, commissioner, Department of Correctional Services, 16 June 1977, series 5, box 1, CCJR.


69. Memorandum from John Ives, community coordinator, Judicial Process Commission, 12 Aug. 1977, CCJR.

70. Memorandum, Leon Van Dyke, New York State Department of Correctional Services, 1977, CCJR. Van Dyke was an educational specialist in the department, and a civil rights activist in the Albany area. Prison programs were already understaffed and overworked. Elizabeth Gaynes called the counselors, “the most concerned, dedicated, hard-working and cooperative counselors I have ever encountered in the correctional system.” Their caseloads, she observed, were “so outrageous that they cannot possibly be as accessible as necessary.” “Summary of Testimony,” CCJR.

71. In November, Coxsackie Civil Service Employees’ Association Local 162, issued a strongly worded memorandum in opposition to the proposed program changes at the institution: “The memorandum misquoted and misrepresented the proposed program,”
and the negative radio announcement preceded the hostage event. See New York State Coalition for Criminal Justice, “Coalition Demands Full Disclosure on Coxsackie,” 13 Jan. 1978, series 5, box 1, CCJR.

72. R. Victor Stewart, “Albany Recalls Coxsackie Chief,” Knickerbocker News, 9 Jan. 1978, n. p. The immediate aftermath of the hostage event scarcely reduced tensions at Coxsackie. The Inmate Liaison Committee went from cell to cell, along with the volunteer services director (McKinley Johnson) to collect care packages for the prisoners being held in solitary confinement, to the outrage of correctional officers.

73. Gaynes, “Summary of Testimony,” CCJR.


76. Jeff Sommer, “Coxsackie, A Look Inside,” Knickerbocker News, 1 March 1978. Coxsackie union local head Valentine Kriel reported, “There is no more Inmate Liaison Committee running the Institution and Volunteer Services has been disbanded for the present”; the new deputy for security was Donald Pierce, formerly a captain at Coxsackie. Annabar Jensis, “New Warden and Policies for Coxsackie Institution,” Greene County News, 26 Jan. 1978, 1, 3.


**Conclusion • The Ghost of Prisons Future**


2. The New York State Coalition for Criminal Justice Records (CCJR), housed at the M.E. Grenander Department of Special Collections and Archives, University at Albany, State University of New York, provide comprehensive coverage of the prison bond fight.


8. For broad version of each argument, see Alexander, New Jim Crow, and Zinoman, Colonial Bastille.


14. See, for example, Wilkinson, Burnham, and Spillane, Prison Work.