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May, 2016

TO 'PROTECT' WOMEN AND CHILDREN: GENDER, RACE, AND THE CARCERAL
MANIFESTATION OF SOUTHERN PATERNALISM

A Dissertation

Presented to

The Faculty of the Department

of History

University of Houston

In Partial Fulfillment

Of the Requirements for the Degree of

Doctor of Philosophy

By

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PATERNALISM

Allison Leigh Robinson

APPROVED:

Nancy Beck Young, Ph.D.
Committee Chair

Linda Reed, Ph.D.

James A. Schafer, Ph.D.

Leandra Zarnow, Ph.D.

Mary C. Brennan, Ph.D.
Texas State University

Steven G. Craig, Ph.D.
Interim Dean, College of Liberal Arts and Social Sciences
Department of Economics

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ABSTRACT

This study explores southern carceral policy as it pertained to women and children in the region from the Progressive Era through the 1950s. Using various state archival records from carefully selected Upper South (Tennessee, Virginia, and North Carolina) and Deep South states (Alabama and Texas) as well as personal papers and gubernatorial records, this work uncovers the ways in which southern lawmakers implemented carceral policies that sought to preserve race and gender traditions of the region. Indeed, I argue early twentieth century penal reform campaigns influenced southern lawmakers to establish institutions that, according to the state, helped rehabilitate “delinquent” women and children into upstanding citizens while simultaneously protecting society from this “criminal” class. In reality, state officials used broad interpretations of the law to justify the segregation of women and children who challenged social constructs of race, gender, and sexuality. Specifically, this study uncovers how southern reformers and lawmakers utilized reformatories as institutions of social control. As the twentieth century progressed and challenges to traditional gender, racial, and sexual mores occurred throughout the nation, southern attempts to “modernize” the carceral state were instead mere continuations of antiquated punitive methods that prevented effective rehabilitation and inspired objections from the inmates and citizenry. Their refusal to yield to changes in society led to the construction of a carceral state that failed in its intended reformatory mission. The result was the institutional manifestation of traditional southern paternalism that sought to preserve nineteenth century gender and racial hierarchies.

Acknowledgements

First and foremost, I would like to give thanks to my creator God for giving me the strength and ability to finish this major work. I could not have accomplished this without Him by my side. To Dr. Nancy Beck Young, my advisor, for always believing in my abilities as a historian, especially when I did not, and guiding me through my doctoral education. Her expertise and professionalism throughout this process is very much appreciated. Thank you also to my dissertation committee, Dr. James A. Schafer, who served as my second reader and major editor, Dr. Linda Reed, Dr. Leandra Zarnow, and Dr. Mary C. Brennan. To the faculty of the department of history at the University of Houston, who have built an outstanding program that continues to challenge its students in the most positive ways. I also want to acknowledge the incredibly helpful archivists and staff of the Texas State Library and Archive Commission, Alabama Department of Archives and History, Louisiana State Archives, State Archive of North Carolina, Tennessee State Library and Archives, Virginia Historical Society, and the Library of Virginia. A very special thank you to my colleagues at the University of Houston. While every one of them influenced this project in important ways, I especially thank Christopher Haight, John Huntington, and Sean Smith for the countless hours of brainstorming that went into shaping this project from the beginning. This dissertation could not have met its completion without the support of my family. I was blessed with parents who stand as models of perseverance and success. My mom, Helen, and dad, Edward, encouraged me to go as far as I could with my education and it was their steady confidence in my abilities that helped me through. The most heartfelt thank you to my incredibly patient and loving husband, Kyle, who probably suffered through this project more

than anyone else. He read every word, paragraph, and chapter more than he wanted to but never once complained. I cannot put into words how much I love and appreciate him. During this project I lost and gained loved ones. My biological father, Philip Hughes, passed away June 22, 2014, and although our relationship had its challenges, he never failed to tell me how proud he was of my accomplishments. On January 9, 2016, my first mentor, Dr. Debra Allen, passed away and left behind an infallible legacy that I hope to continue. Amidst this sadness, however, God blessed me immensely. At 3:03am on July 4, 2015, my daughter Isobel entered this world with a calming presence that I know she did not inherit from me. While completing the dissertation with an infant posed challenges, I can honestly say she is the reason I finished. I dedicate this work to her, to my “ribbit,” to my heart.

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Introduction

“Please let me have my child.”¹ With this impassioned plea, Ollie Glass appealed to Alabama Governor Bibb Graves for the release of her middle daughter, Bessie Glass. Bessie was detained in Alabama’s State Training School for Girls, a cottage style reformatory. The letter, penned in the winter of 1935, marked the zenith of a fifteen-month custody battle between Glass and state authorities. The girl’s offense was her mother’s criminal record. Alabama officials sentenced all three of Ollie Glass’s children to state institutions because of allegations that their mother owned and operated a house of prostitution. A year after authorities removed the girls from her custody, Ollie, along with her husband J.D., outmaneuvered the courts on a technicality, forcing the state to release their oldest and youngest daughters, Annie Mae and Winona Evelyn, who both fell outside of the age parameters of the juvenile courts. Bessie remained trapped in a paternalistic system that embraced a policy of acting *in loco parentis* (in the place of the parent).²

After collecting sworn statements from community leaders and local authorities vouching for Ollie’s credibility, the Glass family launched a legal campaign to regain custody of Bessie. It took two years of contentious wrangling between Alabama courts and

¹ Ollie Glass to the Colbert Court in Alabama, sworn statement, 11 December 1935, “Folder 3 – State Training School for Girls, Jan 15, 1936 – Jan 19, 1939,” Box SG. 12157, State Institution Files (SIF) – Governor (1935-1939: Graves), Alabama Department of Archives and History (ADAH), Birmingham, AL.

² Police officers in Sheffield, Alabama to “To Whom it May Concern,” 28 August 1935; Ollie Glass to the Colbert Court in Alabama, sworn statement, 11 December 1935; Annie Myricks, sworn statement, 5 October 1934; J.A. Groff, sworn statement, 11 October 1934; Mary H. Fowler to Lawrence H. Lee, 2 December 1935 all in “Folder 3 – State Training School for Girls, Jan 15, 1936 – Jan 19, 1939,” Box SG. 12157, SIF - Governor (1935-1939: Graves), ADAH, Birmingham, AL.

the Glasses before Graves paroled Bessie into the custody of her parents.³ The Glasses' victory worried a number of state officials who believed that the state, not the parents, knew what was best for the delinquent children of Alabama. Superintendent for the State Training School for Girls, Mary H. Fowler, expressed concern that the Glasses' legal actions may "establish a precedent whereby parents who had the means could employ counsel to free their daughters from the custody of the School." Such actions, Fowler contended, worked "against the welfare of the child" and "endanger the welfare of every child committed to the State Training School for Girls," as the inmates and citizens of the state would lose confidence in the system.⁴ In order for the children to trust the state they needed to surrender the confidence they had in their parents.

Although Bessie's case is specific to Alabama, it illuminates several larger characteristics of twentieth century southern carceral policy. First, southern lawmakers used incarceration to control the sexuality of its lower class female citizenry since they were concerned over the economic consequences of unchecked sexual "misconduct" throughout the twentieth century. In order to protect the already strained coffers of southern states, officials sought to regulate who was having sex and punish those whose sexual misconduct could spread diseases or produce offspring who were likely to become public charges; authorities most often targeted lower class whites and African Americans.⁵ Second, the

³ Governor Bibb Graves to Mary H. Fowler, 27 May 1936, "Folder 3 – State Training School for Girls, Jan 15, 1936 – Jan 19, 1939," Box SG. 12157, SIF - Governor (1935-1939: Graves), ADAH, Birmingham, AL.

⁴ Mary H. Fowler to Lawrence H. Lee, 2 December 1935 in "Folder 3 – State Training School for Girls, Jan 15, 1936 – Jan 19, 1939," Box SG. 12157, SIF - Governor (1935-1939: Graves), ADAH, Birmingham, AL.

⁵ Controlling the sexuality of women and girls is a prominent theme in the historiography of

authoritarian governing ideologies of the region produced a confused, complicated, and even overwhelmed paternalistic welfare structure. For class and race-based reasons, female “offenders” typically lacked advocates while overcrowded juvenile facilities and sex-integrated prisons failed to provide reform, training, or guidance.

I argue early twentieth century penal reform campaigns influenced southern lawmakers to establish institutions that, according to the state, helped rehabilitate “delinquent” women and children into upstanding citizens while simultaneously protecting society from this “criminal” class. In reality, reformers and the state used reformatories as a

gender and sexuality. Pippa Holloway’s *Sexuality, Politics, and Social Control in Virginia, 1920-1945* (Chapel Hill: University of North Carolina Press, 2006) examines the legislative history in Virginia and argues that state’s white elite passed laws that not only controlled the sexuality of poor whites and African Americans, it divided citizens into two groups, those that needed to be controlled and the citizens who had a self-proclaimed “right” to control. Mary Odem, in her book *Delinquent Daughters: Protecting and Policing Adolescent Female Sexuality in the United States, 1885-1920* (Chapel Hill: University of North Carolina Press, 1995), uncovers the ways in which reformers and parents turned to the state to help control the sexuality of their daughters. Indeed, reformers worried about the sexual delinquency of working class girls as leisure activities outside of parental supervision became popular in the early twentieth century. As a result, progressive reformers and parents allowed the state to gain more power in regulating sexuality. For more on the regulation of female sexuality see Susan K. Cahn, *Sexual Reckonings: Southern Girls in a Troubling Age* (Cambridge, Mass.: Harvard University Press, 2007); Margot Canaday, *The Straight State: Sexuality and Citizenship in Twentieth-century America* (Princeton, N.J.: Princeton University Press, 2009); Marilyn E. Hegarty, *Victory Girls, Khaki-wackies, and Patriotutes: The Regulation of Female Sexuality during World War II* (New York: New York University Press, 2008); Carolyn Herbst Lewis, *Prescription for Heterosexuality: Sexual Citizenship in the Cold War Era* (Chapel Hill: University of North Carolina Press, 2010); Carole Pateman, *The Sexual Contract*, 1988 ed. (Stanford, Calif.: Stanford Univ. Press, 1992); David J. Pivar, *Purity Crusade: Sexual Morality and Social Control, 1868-1900* (Westport, Conn.: Greenwood Press, 1973). For works that place southern poverty in historical perspective see Wayne Flynt, *Dixie’s Forgotten People: The South’s Poor Whites* (Bloomington: Indiana University Press, 2004); David L. Carlton and Peter A. Coclanis, eds., *Confronting Southern Poverty in the Great Depression: The Report on Economic Conditions of the South with Related Documents* (Boston: Bedford Books of St. Martin’s Press, 1996) and Elna C. Green, *This Business of Relief: Confronting Poverty in a Southern City, 1740-1940* (Athens: University of Georgia Press, 2003).

method of social control. As the twentieth century progressed and challenges to gender and racial constructs occurred throughout the nation, southern attempts to “modernize” the carceral state were instead mere continuations of antiquated punitive methods that prevented effective rehabilitation and inspired objections from the inmates and citizenry. Their refusal to yield to changes in society led to the construction of a carceral state that failed in its intended reformatory mission.⁶ The resulting carceral state was the institutional manifestation

⁶ My work is informed by the important scholarship of Gerda Lerner, Joan Scott, and Evelyn Brooks Higginbotham. Their work has continued to shape the study of women, gender, race, class, and power and their theories provide a valuable framework for my dissertation. The contributions of Gerda Lerner, in her article “Placing Women in History: Definitions and Challenges,” *Feminist Studies* 3 (Fall 1975): 5-14, inspires a shift away from the themes of female oppression that long existed in the historical narrative prior to the 1970s, and argues that women’s history needs to focus on how women operated “on their own terms” in a patriarchal world. In her article, “Gender: A Useful Category of Historical Analysis,” *The American Historical Review* 91, no. 5 (December 1986): 1053-1075, Scott argues that the definition of gender is multi-faceted and includes a link between the notions that gender is based on relationships between the sexes as well as a tool to investigate the “relationships of power.” Indeed, Scott contends gender is a useful category for analysis because it is its own theoretical language that can and should be applied to history the same way that other theories, such as Marxism, are applied to the field. Since my dissertation is an evaluation of the southern carceral state in which African American women were certainly a part of, it was essential for me to base my understanding of gender and race in the theories presented by Evelyn Brooks Higginbotham in her article, “African-American Women's History and the Metalanguage of Race,” *Signs* 17, no. 2 (Winter 1992): 251-274. Higginbotham argues that the metalanguage of race makes less clear the differences in gender, sexuality, and class, which in turn has deterred historians from deeper analysis of African American women’s history. She examines how gender, sex, class, and race are all social constructs that influence, construct, and complicate each other. Part of her argument also includes how the language of race is “a double-voiced discourse—serving the voice of black oppression and the voice of black liberation.” Higginbotham calls for the “intersectionality” of gender, sex, race, and class in order for historians to acquire a clearer view of African American women’s history. Using Higginbotham’s theories, I acknowledge that the southern state believed black women, because of their race, could never achieve the state’s definition of “proper” womanhood.

of traditional southern paternalism that sought to preserve nineteenth century gender and racial hierarchies.⁷

⁷ When referencing nineteenth century southern ideals of white womanhood I am using Anne Frier Scott's interpretation of the traditional Victorian woman in her book *The Southern Lady: From Pedestal to Politics, 1830-1930* (Charlottesville: University Press of Virginia, 1995). Social constructs of the "proper" southern lady required women to be white, submissive, obedient, physically weak (in need of masculine protection), timid, modest, sexually pure, and Christian. Scott correctly notes how these features of the "proper" woman was not unique to the South, as these characteristics can be traced back to other parts of the western world. Scott contends that slavery playing a major role in the formation of the ideal southern lady since the land and slave owning men felt a need to uphold paternalism and patriarchy in their home and society, which put women as well as slaves in subordinate positions. Scott explains that the longevity of this gender construct "suggests that these images had deep significance for the men and women who believed in them." Scott was the first historian to complicate the history of the southern woman, whose activism during and after the Civil War put her at odds with the image of the "southern belle." Indeed, the Civil War was a period of time when women had the opportunity to experience their own emancipation from domesticity; these women ran plantations and participated in relief efforts. During and after the war, they participated in temperance movements and other religious reform programs. Similarly, Anastasia Sims, in her book *The Power of Femininity in the New South: Women's Organizations and Politics in North Carolina, 1880-1930* (Columbia: University of South Carolina Press, 1997), argues how southern women found powerful political agency in their participation in voluntary associations. These organizations gave southern women an opportunity to influence public policy and social reform. In her book *The Reconstruction of White Southern Womanhood, 1865-1895* (Baton Rouge: Louisiana State University Press, 2003), Jane Turner Cesner agrees with Anne Frier Scott's assessment to an extent, arguing that after the Civil War many elite southern women rejected the gendered construct of southern "belles," but she contends that there was a revival of traditional views of southern women toward the end of the nineteenth century. I use C. Vann Woodward's *The Strange Career of Jim Crow*, commemorative ed. (Oxford: Oxford University Press, 2002), Steven Hahn's *A Nation under Our Feet: Black Political Struggles in the Rural South, from Slavery to the Great Migration* (Cambridge, Mass.: Belknap Press of Harvard University Press, 2003) and Leon F. Litwack's *Trouble in Mind: Black Southerners in the Age of Jim Crow* (New York: Vintage Books, 1999) to inform my understanding of white expectations of African Americans in the South from the nineteenth and into the twentieth century. These historians have shown that whites in the South expected blacks to remain in a position of social, political, and economic subordination. However, Hahn and Litwack expose how African Americans grew increasingly impatient with the racial oppression of Jim Crow and influenced small successes in the struggle for racial uplift.

This dissertation discusses the reforms and institutions for both juveniles and incarcerated adult women because southern lawmakers often grouped them together when developing carceral methods and policies. By doing so, these officials established an expectation of adulthood on juveniles while also infantilizing “criminal” women throughout the twentieth century. Not only did lawmakers and prison authorities refer to incarcerated women as “girls,” but they also viewed convicted women as the embodiment of failed juvenile reform efforts. State officials believed that if they established successful rehabilitation programs for young offenders, they could prevent future female criminality.

By beginning my study at the turn of the twentieth century, I am able to examine southern interpretations of progressivism and illuminate the unique shape of carceral policies in the region as they applied to white and black women and children. As the Great Depression progressed through the 1930s, the inadequacies of southern carceral institutions became apparent as lawmakers, who believed social welfare institutions and rehabilitation undermined paternalism, rejected the progressive ideals that inspired these facilities in the first place. Finally, as juvenile crime rates increased after World War II, lawmakers pointed to a number of possible causes, many of which pointed to the war’s impact on the American family. While juvenile delinquency became a national discussion, the South continued to see their “race problem” as unique to their region. As federal courts dismantled Jim Crow, segregationist lawmakers revived nineteenth century “states rights” rhetoric, arguing that integration would lead to problems in the South, namely an increase in white crime.

Since my work focuses on southern carceral policies, it is important to explain my definition of “the state.” Throughout these chapters, the “state” takes on various forms and functions. In some instances the state will refer to the holistic southern state as well as

individual states in the region. Sometimes the state will refer to individuals or entities. In the formal sense, the state refers to lawmakers, governors, officials within public institutions, and state boards – in other words, those who had the ability to pass laws or implement policies throughout the region. However, my use of the state expands to include informal political actors, such as doctors, psychiatrists, reformers, and so-called “experts” in youth and criminality who became an extension of southern legislatures. Southern lawmakers realized that passing a law could only go so far in controlling a citizenry. In order to implement these policies of social control, officials needed to rely on those who directly dealt with the public on a daily basis. By including both formal and informal actors within the state, I highlight the ways in which both groups influenced one another in significant ways.

Throughout this dissertation I will utilize the state-defined terms “wayward,” “delinquent,” and “criminal” interchangeably when referring to those incarcerated in southern prisons and reformatories as these terms were used in a similar way by the authorities in this study. I will also use the terms “fallen women” or “incorrigible” to describe females who were convicted and incarcerated for “sexual immorality” although lawmakers tended to include all convicted girls and women into these categories without regard to their specific offense. However, by using this language I am not inferring as to the inmates’ innocence or guilt. Whether or not these incarcerated women and children actually broke the law is beyond the scope of this work although there are some cases where I show no law was actually broken. I contend that the state often used broad interpretations of law that sought to preserve “proper” behavior and allowed the state to control more of its citizens.

The penal codes of the states under consideration reveal how lawmakers used the term “delinquent” to cover a wide range of behaviors and misbehaviors.⁸ Although these statutes varied slightly between states, they used similar language when defining “delinquent child.” Delinquents usually included any child under the age of sixteen or seventeen, depending on the state, who violated any state law or city ordinances; who was incorrigible; truant; associated with “criminals or vicious or immoral persons;” who grew up in “idleness or crime;” frequented houses of prostitution or bars; gambled; wandered the streets at night; demonstrated “immoral conduct;” or any child who repeatedly used indecent language in public. Children accused of delinquency often committed “status offenses,” or, actions that would not be considered criminal if committed by an adult.⁹ Delinquency, then, was a catchall category for behavior that the state deemed inappropriate.

This broad interpretation of delinquency engendered significant consequences. First, “growing up in idleness or crime” was a phrase or “blanket provision” that made it difficult to distinguish between dependent and delinquent children. As a result, a number of dependent children ended up in juvenile courts or reformatories. In 1918, the Children’s Bureau reported that approximately forty-three percent of cases heard before the juvenile courts in the United States involved dependents, not delinquents.¹⁰ Second, wide-ranging

⁸ You will find the juvenile penal codes for the states examined in this dissertation in the Appendix.

⁹ For example, an adult could not have been arrested for truancy. For more see David J. Rothman, *Conscience and Convenience: The Asylum and Its Alternatives in Progressive America* (Boston: Little, Brown, 1980), 252.

¹⁰ Edwin H. Sutherland, *Criminology* (Philadelphia: J. B. Lippincott Company, 1924), 287; Evelina Belden, “Courts in the United States Hearing Children’s Cases,” Washington D.C.: United States Children’s Bureau, 65, 1918, 11. I have yet to find statistics as to how many of those dependency cases led to institutionalization in state reformatories. According to the

definitions of delinquency meant that children who committed minor offenses, or no crime at all, were incarcerated with other minors who may have committed a serious offense like assault or murder. It was therefore difficult if not impossible to implement effective reform programs that could cover a broad spectrum of institutionalized criminal and, oftentimes, non-criminal women and children.

State officials also liberally defined *parens patriae* statutes, which allowed the state to act as parent and guardian of juveniles whenever it perceived the “need” to do so, in order to expand their jurisdiction over young citizens. At the turn of the century, the legal practice of *parens patriae* was commonplace when moving juveniles through the court process. The state could appoint caretakers for children, and take over care of a child when it believed such action to be justified, due to the behavior of either the child or the parent. This was done without due process; no legal representation was afforded the child in these proceedings. A number of objections to this practice were raised, specifically that these proceedings were criminal in nature, and that the child should be allowed proper legal counsel. The Supreme Courts of several states upheld the legal precedent. In the case *Commonwealth v. Fisher*, the Pennsylvania Supreme Court ruled:

To save a child from becoming a criminal, or from continuing in a career of crime, to end in maturer years in public punishment and disgrace, the legislature surely may provide for the salvation of such a child, if its parents or guardian be unable or unwilling to do so, by bringing it into one of the courts of the state without any process at all, for the purpose of subjecting it to the state's guardianship and protection.¹¹

sources, this number is difficult to discern because of the blurred lines between definitions of dependent and delinquent.

¹¹ Julian W. Mack, “The Juvenile Court,” *Harvard Law Review* 23, no. 2 (December 1909): 110.

The interpretation of *parens patriae* varied by state, but most lawmakers applied this precedent copiously so as to “protect” more of its young citizens. In Alabama, the state declared that they “shall exercise its right of guardianship and control over such children in the manner and form hereafter provided. This chapter shall be liberally construed in order to accomplish the beneficial purposes declared.”¹² By closely examining reformatories for women and children, this dissertation exposes some of the consequences that came along with these broad interpretations of the law.

Much of the historiography of youth crime and carceral policy offers valuable critiques of progressivism and legislating in the early twentieth century by posing important questions about whether the efforts of reformers were humanitarian in nature or just another way to solidify white middle class values. Many of these early works, however, provided a cursory glance at issues of gender and sexuality within juvenile courts and carceral institutions.¹³ Beginning in the late 1980s and early 1990s, the literature on girls and juvenile

¹² Article 1, General Provisions as to Juvenile Delinquents, Section 3528 (3), Code of Alabama, August 17, 1923, Vol. II – Criminal; *In loco parentis* is defined by *Black’s Law Dictionary*, 5th Edition, as “In place of a parent; instead of a parent; charged, factitiously, with a parent’s rights, duties and responsibilities.” As opposed to *in loco parentis* which does not reference a specific entity or individual having those rights, *parens patriae* means “literally ‘parent of the country,’ and refers traditionally to role of state as sovereign and guardian of persons under legal disability.” Thelawdictionary.org’s definition of *parens patriae* goes even further by defining the term as “the right held by the court to take a reasonable decision on the part of a person who is unable to make one for himself.” For more see Joseph R. Nolan and M. J. Connolly, *Black’s Law Dictionary*, 5th ed. (St. Paul, Minn.: West Publishing Co., 1979).

¹³ Anthony Platt’s *The Child Savers: The Invention of Delinquency*, 40th ed. (New Brunswick, N.J.: Rutgers University Press, 2009) is a foundational work on juvenile justice in the United States. Before the initial publication of Platt’s work in 1969, scholars often credited progressives for being heavily influenced by liberal thought who battled corporate interest for the betterment of humanity. Platt challenged this portrayal, arguing that progressives “worked hand in glove with capitalists to control the masses” and developed

delinquency grew impressively. These historians argued that a sexual double standard existed throughout juvenile courts in the United States.¹⁴ Because the first juvenile courts and institutions in the United States existed in the North, that region is heavily represented in the historiography of juvenile justice and incarceration.¹⁵ Over the last two decades, historians

policies and practices that “invented new categories of youthful misbehavior.” By doing so, so-called reformers were able to use the juvenile court to control the lower class. Therefore, Platt contends, the “progressive” development of the juvenile justice created a failed system that was more punitive than reformative. Since the publication of *The Child Savers* the historiography of juvenile justice in the United States has grown significantly. Many of these works agree with some of Platt’s criticisms of progressive reformers, arguing that the result of the child saving movement was stronger state control over lower class citizens. For more see Barbara M. Brenzel, *Daughters of the State: A Social Portrait of the First Reform School for Girls in North America, 1856-1905* (Cambridge: MIT Press, 1985); Sanford J. Fox, “Juvenile Justice Reform: An Historical Perspective,” *Stanford Law Review* 22, no. 6 (June 1970); Ellen Ryerson, *The Best-laid Plans: America's Juvenile Court Experiment* (New York: Hill and Wang, 1978). Several historians have also disagreed with Platt’s critiques of progressivism and juvenile justice; most notably was David Rothman’s *Conscience and Convenience: The Asylum and Its Alternatives in Progressive America* (Boston: Little, Brown, 1980). Rothman argues that the motivation of the child saving movement was for the common good of society, not class interest. While Michael Willrich does not focus on juvenile delinquency in his book *City of Courts: Socializing Justice in Progressive Era Chicago* (New York: Cambridge University Press, 2003), he does investigate the motives and influences of progressive’s in Chicago’s the municipal court system. According to Willrich, the more progressive municipal court system simultaneously improved the treatment of the accused while denying certain personal rights like due process.

¹⁴ For more see Ruth M. Alexander, *The Girl Problem: Female Sexual Delinquency in New York, 1900-1930* (Ithaca: Cornell University Press, 1998); Anne Meis Knupfer, *Reform and Resistance: Gender, Delinquency, and America's First Juvenile Court* (New York: Routledge, 2001); Tamra Myers, *Caught: Montreal's Modern Girls and the Law, 1869-1945* (Toronto: University of Toronto Press, 2006) and Mary E. Odem, *Delinquent Daughters: Protecting and Policing Adolescent Female Sexuality in the United States, 1885-1920* (Chapel Hill: University of North Carolina Press, 1995).

¹⁵ The first juvenile court in the United States originated in Illinois in 1899. For this reason, much of the historiography of juvenile justice examines Illinois’s system. These titles include Sanford J. Fox, “Juvenile Justice Reform: An Historical Perspective,” *Stanford Law Review* 22, no. 6 (June 1970): 1187-239; Anne Meis Knupfer, *Reform and Resistance: Gender, Delinquency, and America's First Juvenile Court* (New York: Routledge, 2001); Anne Meis Knupfer, “‘To Become Good, Self-Supporting Women:’ The State Industrial School for Delinquent Girls at Geneva, Illinois,” *Journal of the History of Sexuality* 9, no. 4

have produced works that examine local histories of youth crime and incarceration in the South.¹⁶ This literature uses the juvenile justice system as a tool to examine the institutional racism that existed in the region. However, gender and sexuality exist at the margins of this emerging historiography.¹⁷ The literature on women's prisons in the United States remains underdeveloped, with most studies coming from sociologists rather than historians.¹⁸

(October 2000): 420-46; Anthony M. Platt, *The Child Savers: The Invention of Delinquency*, 40th ed. (New Brunswick, N.J.: Rutgers University Press, 2009) and Ellen Ryerson, *The Best-laid Plans: America's Juvenile Court Experiment* (New York: Hill and Wang, 1978).

¹⁶ William S. Bush's *Who Gets a Childhood? Race and Juvenile Justice in Twentieth-century Texas* (Athens: University of Georgia Press, 2010) investigates juvenile justice in Texas and exposes how the Lone Star State led the way in national policy trends in the reformation of delinquent youth. He cites the existence of diverse policies, progressive versus "get tough" campaigns, that sought to reform youth all the while providing protections to whites while denying those same protections to African and Mexican Americans in Texas juvenile justice institutions. Jennifer Trost, in her book *Gateway to Justice: The Juvenile Court and Progressive Child Welfare in a Southern City* (Athens: University of Georgia Press, 2005) examines juvenile courts in Memphis, Tennessee, arguing that many of the features and traditions of their justice system were uniquely southern. Race plays a central role in both Bush and Trost's works. They expose how each state's juvenile justice system, from the court itself to the reformatory institutions, was designed around a southern tradition of African American subordination and segregation. For local histories of juvenile justice in southern cities see Randall G. Shelden, "Sex Discrimination in the Juvenile Justice System: Memphis, Tennessee, 1900-1917," in *Comparing Female and Male Offenders*, by Marguerite Q. Warren (Beverly Hills: Sage Publications, 1981).

¹⁷ Susan K. Cahn's *Sexual Reckonings: Southern Girls in a Troubling Age* (Cambridge, Mass.: Harvard University Press, 2012) is one of a few books that focus on the lived experiences of southern teenagers in the twentieth century. Cahn presents a social and cultural southern history of white and African American female adolescence from the 1920s through the 1950s. Cahn argues that white and black teenage girls participated in and shaped twentieth century southern culture, and that through sexuality, the adolescent female emerged as a powerful and influential demographic in southern society. While Cahn discusses how southern lawmakers tried to control southern female youth, as well as controversies surrounding particular juvenile reform institutions, her work is largely missing political and institutional history.

¹⁸ Estelle Freedman's *Their Sisters' Keepers: Women's Prison Reform in America, 1830-1930* (Ann Arbor: University of Michigan Press, 1981) is an exception to this rule. Freedman focuses her study on the female reformers who tried to establish safe spaces for imprisoned

Sociologists, concerned with the increasing population of incarcerated women, use demographical data to explain the over representation of people of color in U.S. prisons, both male and female. However, few of these studies incorporate the historical analysis necessary to explain how we came to this phenomenon.¹⁹ I contend that we cannot explain or understand modern carceral policy in the United States without a comprehensive analysis of its history.

My dissertation fills a noticeable historiographical void by placing gender, race, and sexuality at the center of southern carceral policy and institution building. Further, while the

women at the end of the nineteenth century. While their mission appears progressive on the surface, it was limited in that it never questioned incarceration and in fact reinforced traditional notions of femininity in the rehabilitation of women prisoners. Freedman's book is an important foundational work, however the prisoners themselves are silent throughout the narrative. Anne M. Butler's *Gendered Justice in the American West: Women Prisoners in Men's Penitentiaries* (Urbana: University Of Illinois Press, 2000) uses the voices of female prisoners in western penitentiaries for men to uncover the physical and mental abuse that incarcerated women underwent. Nicole Rafter, in her book *Partial Justice: Women in State Prisons, 1800-1935* (Boston, MA: Northeastern University Press, 1985), argues that women experienced different and often poorer treatment than male prisoners in state penitentiaries. Looking primarily at New York, Ohio, and Tennessee, Rafter shows that when reformers influenced the opening of carceral facilities for women the result was closer state regulation of female behavior. Collectively, the works of Freedman, Butler, and Rafter stand as a valuable foundation of the inchoate historiography of women's prisons in the United States. However, these books do not address the plight of southern female offenders. The prison reform efforts of northern progressives were met with resistance in the South, and as a result, southern states did not establish women's prisons until later in the twentieth century.

¹⁹ For sociological studies of women in prison see Catherine Fisher Collins, *The Imprisonment of African American Women: Causes, Conditions, and Future Implications* (Jefferson, N.C.: McFarland, 2004); Jill A. McCorkel, *Breaking Women: Gender, Race, and the New Politics of Imprisonment* (New York: New York University Press, 2013); Joycelyn M. Pollock, *Women, Prison, and Crime*, 2nd ed. (Belmont, CA: Wadsworth Thomson Learning, 2002); Beth Richie, *Arrested Justice: Black Women, Violence, and America's Prison Nation* (New York: New York University Press, 2012); Silja J. A. Talvi, *Women behind Bars: The Crisis of Women in the U.S. Prison System* (Emeryville, CA: Seal Press, 2007) and Kathryn Watterson, *Women in Prison: Inside the Concrete Womb*, rev. ed. (Boston: Northeastern University Press, 1996).

existing historiography on juvenile delinquency tends to give a cursory glance inside carceral institutions, my dissertation looks closely at the experiences of those housed in prisons and reformatories in the South. By doing so I am able to uncover how southern paternalism was made manifest by institutional practice.

Since the 1960s, historians have tried to find a place for the South in the larger narrative of American history. In 1960, historian C. Vann Woodward argued that the South was losing its regional distinctiveness. As the South's economy grew and diversified and racial segregation fell out of favor with the rest of the nation and much of the western world, the region struggled to distinguish itself. The only thing, Woodward contended, that differentiates the region from the rest of the country, is its history. The South, he argued, has a heritage filled with "frustration, failure, and defeat," components he did not see in the larger history of the United States.²⁰ Since the publication of Woodward's influential work, historians have grappled with southern exceptionalism. Some historians argue that neither the South nor its history is necessarily unique and that by using the region as a category of analysis we obscure American history. Indeed, in the last two decades historians have taken a closer look at historical moments previously believed to have existed in a southern vacuum, such as the rise and fall of Jim Crow, and found that they subsisted throughout the United States.²¹ However, scholars of the South continue to find regional nuances deserving of

²⁰ C. Vann Woodward, *The Burden of Southern History*, 3rd ed. (Baton Rouge: Louisiana State University Press, 1993), 19.

²¹ In their edited volume *The Myth of Southern Exceptionalism* (New York: Oxford University Press, 2010), Joseph Crespino and Matthew D. Lassiter contend that what is usually considered the hallmarks of "southernness," the turbulent race relations promoted by Jim Crow segregation, also existed in the North and West. By promoting southern exceptionalism, they argue, historians of the region add muscle to the myth of American exceptionalism. In other words, when we restrict the history of racial tension to the South we

historical attention; most notably, they see the oppression of Jim Crow as being more severe in the South.²² This dissertation does not seek to offer a definitive answer to the question of southern exceptionalism. Instead, I contend that lawmakers and the larger state apparatuses in the South believed their region to be distinct from the rest of the United States, and the desire to preserve this “southernness” shaped their policymaking.

My work complicates these historiographies by placing gender and race at the center of southern carceral policy and within a broader scope of southern paternalism and New South governing ideologies.²³ By looking deeper into the South’s carceral state and the

exempt the rest of the nation, essentially giving them a pass on decades of racial oppression. For more see Matthew D. Lassiter and Joseph Crespino.

²² Crespino and Lassiter’s argument that the black and white divide that long represented the bulwark of the southern history ignores the diversity that existed in the region. Similarly, the essays in Pippa Holloway’s edited volume *Other Souths: Diversity and Difference in the U.S. South, Reconstruction to Present* (Athens: University of Georgia Press, 2008) argue that viewing the South as a monolithic region is not only incorrect, but robs the South of its social and cultural nuances. Each of the essays in this collection illuminate the racial, ethnic, and sexual diversity within the South and how, despite the efforts of southern white hegemony to protect an Old South narrative, members of the minority continue to influence southern culture and life.

²³ In their book *Southern Paternalism and the American Welfare State: Economics, Politics, and Institutions in the South, 1865-1965* (Cambridge, U.K.: Cambridge University Press, 1999), Lee J. Alston and Joseph P. Ferrie examine southern paternalism through the lens of labor and agriculture in the region. They define southern paternalism as “a relationship involving employer provision of a wide range of goods and services in exchange for loyal service.” Planters acted as an intermediary between their workers and the “outside world.” The historians contend that the planter class manipulated local and national politics to prevent their workers from benefiting too greatly from the welfare state, which effectively preserved their paternalistic systems. The collection of essays in Edward J. Cashin and Glenn T. Eskew’s edited volume *Paternalism in a Southern City: Race, Religion, and Gender in Augusta, Georgia* (Athens: University of Georgia Press, 2001), use race, religion, gender, and class to investigate southern paternalism in Augusta from the antebellum period through the early twentieth century. Cashin and Eskew contend that paternalism was a compromise between the seemingly powerful and the powerless. However, as these essays show, the apparent “down trodden” classes, namely women, African Americans, and lower

experiences of women and children segregated (institutionalized) from the rest of society, I uncover the intricate social experiment carried out by state officials who sought to protect vestiges of nineteenth century gender and racial hierarchies. I interrogate the women and children southern society forgot and the parties responsible for forgetting them.

This dissertation relies heavily on various state archival records throughout the South in order to expose the ways in which southern state officials developed policy that preserved southern gender and racial traditions. My work uses a research methodology that explores state intervention into the lives of children and women in carefully selected Upper South (Tennessee, Virginia, and North Carolina) and Deep South states (Alabama and Texas) while using other sources, such as personal papers and gubernatorial records, to flesh out variance with the rest of the region. By examining this problem longitudinally, I explicate the evolution of southern carceral policy from its development during the Progressive Era through the late 1960s when there was a distinct reconfiguration of carceral policies throughout the country.

Chapter one outlines the opening of juvenile reformatories and women's prisons throughout the South. Southern progressives, who were dismayed with the incarceration of children and women in state penitentiaries, pressured the state to open separate facilities in order to protect these groups. Indeed, the turn of the century marked a time when reformers in the region began pressuring state legislatures to acknowledge the special needs of incarcerated women and children, stressing the importance of reform and rehabilitation through education rather than labor and corporal punishment. However, these same reformers rarely considered the well being of incarcerated black women and children, which

class whites, managed to carve out a space for themselves in which they could enjoy certain levels of agency and autonomy.

left the establishment of separate facilities for African Americans in the hands of black women's organizations.

Chapter two evaluates the ways in which lawmakers began understanding crime and sexuality in medical terms. In the early twentieth century, doctors and psychiatrists argued that there was a direct connection between crime and mental disability and that both of these "conditions" were hereditary. Southern lawmakers started to believe that rural poverty, the increase in mental illness, the Depression, and the growing influence of the African American civil rights movement all pointed to "functions of heredity," and turned to the eugenics movement as a way to relieve social and economic tensions in the region.²⁴

Chapter three focuses on the effect of economic strain on southern institutions during the Great Depression. Already underfunded carceral institutions abandoned any attempts at modern or progressive reform, reverting instead to antiquated punitive methods. This chapter examines two scandals: the death of Raymond Tefteller, a white inmate at Alabama's school for boys, and the Samarcand arson trial in North Carolina. Both events expose the ways authorities used physical power and violence instead of individual reform and rehabilitation to subdue their inmates. Further, the death of Raymond Tefteller and the Samarcand arson trial inspired a loud outcry from citizens throughout the region. As journalists brought attention these incidents and questioned the ethics of juvenile institutions, concerned southerners wrote to the governors of Alabama and North Carolina demanding a change in carceral methods. The third part of the chapter investigates the dilapidated conditions of juvenile facilities as well as the experiences of African American girls in private institutions during the Depression. Despite the economic turmoil and growing racial tension felt

²⁴ Gregory Michael Dorr, *Segregation's Science: Eugenics and Society in Virginia* (Charlottesville: University of Virginia Press, 2008), 3.

throughout the region in the 1930s, African American clubwomen found ways to maintain their schools for wayward black girls.

Chapter four deviates slightly from southern carceral policymaking by discussing the State Industrial Farm Colony for Women in Virginia (SIFW) and its publication of “The Citizen,” a magazine written and produced by the institution’s inmates. First issued in November 1941 and continuing through World War II, “The Citizen” acted as an arena in which incarcerated women could show their readers qualities of good citizenship. The SIFW’s inmates participated in charity drives, rationing, and victory gardening in an effort to support the war and they used the magazine to document these efforts, which they hoped, would remove the stigma associated with conviction and incarceration.

Chapter five evaluates the ways in which juvenile delinquency and crime became a national topic of conversation following World War II. Officials throughout the United States agreed that the war’s disruption of traditional gender norms harmed the foundation of the nuclear family and caused an increase in juvenile delinquency among girls. However, southern lawmakers actively distinguished their region from the rest of the United States, arguing that federal mandates to end segregation led to a break down in law and order and would inspire crime among white youth. The shifting race relations influenced southern officials to use their carceral institutions to preserve Jim Crow segregation. These detention centers maintained a curriculum that sought to preserve regional gender and racial hegemonies of the day until they were desegregated in the late 1960s.

My work merges analysis of state action with gendered and racial readings of the policies that followed, while also recovering the voices of women and people of color who struggled under the carceral state. So much that southern officials did with regard to carceral

policy resulted from white, elite male understandings of how society should function. Such policies, through an ideology of patriarchy and paternalism, sought to segregate “criminally minded” women and children from the rest of society in the name of protection. By studying carceral policies historians are able to see what the state wanted to preserve and protect.

When lawmakers pass legislation, and authorities arrest citizens who break these laws, the state draws lines that eventually define “the criminal” and establishes a dichotomy between those who deserve the rights of citizenship and those who do not.

Chapter One

Southern Institution Building in a Progressive Age

After years of pressuring the state through letter writing and petition campaigns, Concord newspaper editor James P. Cook convinced the legislature to open a training school for white boys.¹ Cook's efforts had begun in 1890 when he observed a thirteen-year-old boy working in a chain gang for stealing \$1.30. What was worse, in Cook's eyes, the boy "was chained to a Negro," which he believed to be "a miscarriage at reformation."² This experience influenced Cook to spend years pressuring the state legislature to establish a juvenile reform institution and in 1907, the Stonewall Jackson Training School opened in North Carolina for the rehabilitation of white male juvenile delinquents.³ In 1921, the *Greensboro Daily News* credited Cook, rather than the state, with being the "real" founder of the school.⁴ Cook's campaign uncovers a contradiction that existed in penal reform in the South. It also underscores the racism that existed under the progressive movement's thin veil

¹ Cook was not alone in this endeavor. The King's Daughters, a benevolent organization in North Carolina, also took part in this campaign.

² S.G. Hawfield, *History of the Stonewall Jackson Manual Training and Industrial School* (Concord, NC: Stonewall Jackson Manual Training and Industrial School, 1946), 10-13.

³ Despite passing an act for the establishment of the Jackson Training School, the necessary appropriation for the institution was met with much resistance from officials who did not agree with the strain such an establishment would put on the state's taxpayers. However, in this particular General Assembly, there were many Confederate soldiers and it was suggested that if the institution could be named after Stonewall Jackson, these members would vote to establish the institution. This plan worked and all of the Confederate soldiers in the Assembly voted in favor of the bill. Hawfield, *History of the Stonewall Jackson Manual Training and Industrial School*, 16.

⁴ Hawfield, *History of the Stonewall Jackson Manual Training and Industrial School*, 10.

of egalitarianism. While Cook called for the protection of a specific class of citizens (white youth), this same concern and reform effort was not extended to incarcerated African Americans in the region. Indeed, this story exposes the stark limits of progressivism.⁵

This chapter argues that turn-of-the-century southern reformatory building grew in a way that reflected and upheld gender and racial prejudices in the region. The first reformatory institutions for youth in the South housed white delinquents, which left convicted black children to serve their sentences in county jails and prisons where they were vulnerable to abuse from adult convicts and guards. When state institutions for delinquent boys did take in both white and black inmates, officials segregated the two groups and enforced stricter rules for black incarcerates. When it came to opening facilities for

⁵ In the last few decades, historians have offered critical analyses of progressivism that have called into question the banner of humanitarianism and equality that defined the movement. Most of these historians have argued that the reform inspired by progressives upheld and enforced middle class gender and racial divisions. For example, Linda Gordon, in her book *Pitied but Not Entitled: Single Mothers and the History of Welfare, 1890-1935* (Cambridge, Mass.: Harvard University Press, 1994), uncovers how a number of female reformers fashioned policies that in turn forced social constructs of gender onto single mothers who needed assistance. These women encouraged single mothers to fulfill their roles as nurturers, which in turn encouraged women's financial dependence on men. Indeed, Gordon argues that the inequalities and stigmas currently associated with federal assistance began in the complicated welfare debates that occurred between 1890 and 1935. Dewey Grantham, in his book *Southern Progressivism: The Reconciliation of Progress and Tradition* (Knoxville: University of Tennessee Press, 1983), argues that southern progressives simultaneously pushed for "humanitarian" reforms while maintaining southern racial hierarchies; this led to the further disenfranchisement of African Americans in the region. For more on these topics see Barbara Antoniazzi, *The Wayward Woman: Progressivism, Prostitution and Performance in the United States, 1888-1917* (Madison: Fairleigh Dickinson University Press, 2014); Noralee Frankel and Nancy Schrom Dye, *Gender, Class, Race, and Reform in the Progressive Era* (Lexington: University Press of Kentucky, 1991); Glenda Elizabeth Gilmore, *Who Were the Progressives? Readings* (Boston: Bedford St. Martin's, 2002); J. Morgan Kousser, *The Shaping of Southern Politics: Suffrage Restriction and the Establishment of the One-party South, 1880-1910* (New Haven: Yale University Press, 1974) and Raymond H. Pulley, *Old Virginia Restored: An Interpretation of the Progressive Impulse, 1870-1930* (Charlottesville: University of Virginia Press, 1968).

delinquent black girls, this task was left up to various African American women's clubs who sought to handle black female delinquency in a way that did not further stigmatize the inmates. Further, social constructs of gender and sexuality led many officials to believe "fallen women," or women arrested for "sexual misconduct," to be beyond reform; this gendered prejudice delayed the establishment of separate prisons for convicted women. When carceral facilities for women and girls did open, officials employed so-called rehabilitative instruction, such as domestic training, for the dual purpose of imposing gender norms on females who defied them, as well as maintaining control over the inmates' sexuality. Indeed, the limitations of progressivism ensured that not every woman or child was going to be protected in the same way or for the same reasons.

This chapter is organized into four sections. The first section discusses southern progressivism and early penal reform in the region and briefly traces the evolution of carceral labor. Section two outlines the efforts, purpose, and policies surrounding the establishment of juvenile institutions for white children. Beginning in the late nineteenth century, progressives viewed children as a group that needed special protection and "saving." This motivated them to pressure state legislatures into establishing juvenile reformatories for white children. Section three looks at the formation of detention homes for black female youth and uncovers how the state did not concern themselves with protecting the sexuality of black girls since they believed "immorality" to be an inherent trait among African American women and girls. Sections two and three will be a comparative state study to document institution building in Alabama, Tennessee, North Carolina, Virginia, and Texas. Finally, this chapter discusses the founding of women's prisons in Virginia and North Carolina, as well as the efforts of central southern states in forming an "interstate compact" of "prisoner

sharing” that intended to defray the cost of opening separate women’s prisons in each southern state.⁶ Ultimately, this chapter seeks to uncover how the limits of progressivism manifested in southern penal institution building.

Southern Progressivism and Penal Reform

At its most basic level, progressivism was a philosophy that spanned the political spectrum and was based on the belief that advances in technology, medicine, and social sciences together with a regulatory state could improve societal ills and the human condition. Progressives were primarily white, middle class, and predominantly female. Historian Michael E. McGerr argues that progressivism was a reactionary set of beliefs embraced by a group of reformers who worried about how industrialization was leading to “the breakdown of the relationship between middle-class men and women.” Progressives, therefore, set out on a campaign to protect middle class white values.⁷ However, while the foundation of progressivism remained uniform throughout the United States, nuances existed across various campaigns, reforms, and regions. At the turn of the twentieth century, progressives participated in a number of disparate campaigns that included but were not limited to business and banking regulation, child labor laws, sanitation, pure food and drug laws, environmental reform, penal reform, and women’s suffrage. However, the intention and methods behind these various campaigns differed depending on the region. For example,

⁶ The Council of State Governments, “Statement Adopted by South Central States Conference on Incarceration of Adult Women Prisoners,” New Orleans, LA, October 22-23, 1954, “Incarceration of Adult Women Prisoners Studies 1955,” Reed Cozart Papers (RCP), Louisiana State Archive (LSA), Baton Rouge, LA.

⁷ Michael E. McGerr, *A Fierce Discontent: The Rise and Fall of the Progressive Movement in America, 1870-1920* (New York: Oxford University Press, 2005), xiv-xv.

northern progressives grew increasingly concerned over the effect immigration, industrialization, and urbanization had on middle class values and sought reform that would better assimilate lower class whites and immigrants into white middle class mores. Southern progressives also sought to protect white middle class standards, but their efforts reinforced the South's racial caste system.⁸

When historians began studying the progressive era, their works excluded the South in favor of examining progressivism as it manifested in large cities in the North. The prevailing belief, now debunked, was that southern progressivism was oxymoronic. The South's long tradition of anti-statism seemed, on the surface, to counter progressive calls for state regulation of various political, economic, and social matters. However, after further investigation, historians unveiled the ways in which the South developed "its own brand of progressivism."⁹ This is not to suggest that southern progressivism stood as a clear aberration from progressives in the North as both groups were largely white, middle class men and women who lived in urban areas and called on the state to correct a myriad of

⁸ John Whiteclay Chambers, II, *The Tyranny of Change: America in the Progressive Era, 1890-1920* (New Brunswick, NJ: Rutgers University Press, 2000), 140-147.

⁹ One of the first works that uncovered southern progressivism was Arthur S. Link's "The Progressive Movement in the South, 1870-1914," *North Carolina Historical Review* 23 (1946). Immediately following the publication of Link's article the discussion of southern progressivism flourished into a rich historiography. C. Vann Woodward's *Origins of the New South, 1877-1913* (Baton Rouge: Louisiana State University Press, 1971) and George Brown Tindall's *The Emergence of the New South, 1913-1945* (Baton Rouge: Louisiana State University Press, 1970) expanded the study of progressivism in the South both thematically and chronologically into the 1920s. Since then, scholars have produced both broad studies and local histories of southern progressivism. Grantham, *Southern Progressivism*, xv.

societal and economic ills through regulation.¹⁰ Historian Dewey W. Grantham contends, southern progressives “shared in the national reform ethos” of progressivism but the region’s one party political system and support of black disenfranchisement “gave a special color to its social reform.”¹¹ Indeed, Grantham exposes how southern progressives believed racial segregation to be essential in maintaining social and political stability in the region.¹² Historians have also found important nuances between Deep South, Upper South, and Southwest progressivism. As a result, a number of local histories of southern reform added depth to the historiography of southern progressivism beginning in the 1950s.¹³

Penal reform was one of many initiatives undertaken by progressives throughout the United States at the turn of the twentieth century.¹⁴ White middle class women played a

¹⁰ In many ways, southern progressives had much in common with New South “boosters” who sought to rehabilitate the war torn region through economic diversity and industrialization. Grantham, *Southern Progressivism*, xvi & 4.

¹¹ Grantham, *Southern Progressivism*, xv & 10.

¹² Ibid., xix.

¹³ Grantham contends that Deep South progressivism was driven by politics of race while Upper South reformers concerned themselves more with economic and political diversity. In Southwest states, Grantham argues, the influence of “agrarian radicalism” and labor groups went a long way in shaping progressivism in that sub-region of the South. *Southern Progressivism*, 36 & 87. For state studies of southern progressivism see Alwyn Barr, *Reconstruction to Reform: Texas Politics, 1876-1906* (Austin: University of Texas Press, 1971); Dwight B. Billings, *Planters and the Making of a “New South”: Class, Politics, and Development in North Carolina, 1865-1900* (Chapel Hill: University of North Carolina Press, 1979); Lewis L. Gould, *Progressives and Prohibitionists: Texas Democrats in the Wilson Era* (Austin, TX: University of Texas Press, 1973); Roger L. Hart, *Redeemers, Bourbons and Populists: Tennessee, 1870-1896* (Baton Rouge: Louisiana State University Press, 1975) and Jonathan M. Wiener, *Social Origins of the New South: Alabama, 1860-1885* (Baton Rouge: Louisiana State University Press, 1978).

¹⁴ Anne Firor Scott, *The Southern Lady: From Pedestal to Politics, 1830-1930* (Charlottesville: University Press of Virginia, 1995), 148.

major role in these campaigns. Many of these women were also members of the Women's Christian Temperance Union (WCTU). Members of the WCTU would often visit alcoholics incarcerated in jails and prisons, and upon witnessing the conditions of the facilities, took part in the efforts to reform carceral institutions. These initiatives were intended to address a myriad of observed problems in the American carceral state including prison labor, punishment, methods of reform and rehabilitation, as well as efforts to modernize prison facilities.¹⁵ Progressives in the South focused on eradicating the notorious convict labor system that defined southern incarceration. Historian Robert Perkinson contends, "The history of punishment in the United States is more of a southern story;" one that is steeped in a desire to maintain traditional racial and social caste systems.¹⁶ Indeed, Perkinson divides the history of American penology into two distinct regions and methods; the North, or "the birth place of penology," and the South, "the fountainhead of subjugationist discipline."¹⁷ He contends Texas's carceral state is particularly notorious for incarcerating a high proportion of African Americans and modeling their punitive policies around a plantation labor system. He notes that similar carceral trends occurred throughout southern states, arguing that this

¹⁵ For more on penal reform movements see Adam Jay Hirsch, *The Rise of the Penitentiary: Prisons and Punishment in Early America* (New Haven: Yale University Press, 1992); Matthew J. Mancini, *One Dies, Get Another: Convict Leasing in the American South, 1866-1928* (Columbia: University of South Carolina Press, 1996); Rebecca M. McLennan, *The Crisis of Imprisonment: Protest, Politics, and the Making of the American Penal State, 1776-1941* (New York: Cambridge University Press, 2008); David J. Rothman, *Conscience and Convenience: The Asylum and Its Alternatives in Progressive America* (New York: Aldine de Gruyter, 1980) and David M. Oshinsky, *Worse than Slavery: Parchman Farm and the Ordeal of Jim Crow Justice* (New York: Free Press, a division of Simon & Schuster, 1996).

¹⁶ Robert Perkinson, *Texas Tough: The Rise of America's Prison Empire* (New York: Metropolitan Books, 2010), 7.

¹⁷ *Ibid.*, 8.

exploitation of prison labor kept “the ghosts of slavery alive and well into the twentieth century.”¹⁸ Perkinson’s argument, however, is controversial as it suggests punitive policies did not exist in the North when in fact, punishment has long characterized America’s prison system nationwide. Historian Rebecca L. McLennan argues that the debate surrounding prison reform in the United States focused on a “moral crisis over the rights and wrongs of legal punishment.”¹⁹ Methods of carceral punishment, therefore, took on different characteristics depending on the region. In the South, punishment was often exacted through arduous agricultural labor. From the late nineteenth to the early twentieth century, the southern carceral state employed a convict lease system in which prisoner labor was leased to private institutions such as plantations or businesses. A small sect of southern progressive reformers fought to eradicate the practice winning important victories that rid southern penal labor from some of its more barbaric features. Southern lawmakers sought out new ways to employ prisoners and turned to farm work and road construction.²⁰

¹⁸ Ibid., 152.

¹⁹ Rebecca M. McLennan, *The Crisis of Imprisonment: Protest, Politics, and the Making of the American Penal State, 1776-1941* (New York: Cambridge University Press, 2008), 1. David Rothman documents the realities of prison punishment in his book *Conscience and Convenience: The Asylum and Its Alternatives in Progressive America* (New York: Aldine de Gruyter, 1980). Chapter one of Rothman’s work details disturbing occurrences in northern carceral institutions and asylums. In his subsequent chapters, he shows how progressive efforts to eradicate prison punishment ultimately failed as prison officials simply changed the way punishment was carried out so as to appear less cruel. He also contends that punitive practices became much more secretive and officials covered up these abuses during institutional inquiries. For more on abuse within the American carceral state see Norval Morris and David J. Rothman, *The Oxford History of the Prison: The Practice of Punishment in Western Society* (New York: Oxford University Press, 1998).

²⁰ For more on the convict lease system see Alexander C. Lichtenstein, *Twice the Work of Free Labor: The Political Economy of Convict Labor in the New South* (London: Verso, 1996); Matthew J. Mancini, *One Dies, Get Another: Convict Leasing in the American South, 1866-1928* (Columbia: University of South Carolina Press, 1996); Khalil Gibran

Through the efforts of progressive women's and civic clubs, penal reform in the South appeared to have made some headway by the late 1920s in all but eliminating convict lease labor from state penitentiaries, but these successes were not felt throughout the region as some institutions still maintained shoddy facilities and strict punitive methods.²¹ Prisoners continued to be forced into farm labor, but reformers saw little wrong with this free labor system as the foodstuffs from such work went to benefit the penitentiary or other state institutions.²² Penal reformers also believed women and children could participate in and even benefit from lighter farm work, arguing that the fresh air and sunshine could improve their health. Indeed, penologists viewed farm labor as "a progressive step" in carceral reform.

²³ L.A. Halbert, general superintendent of the board of public welfare in Kansas City, Missouri, believed farm labor to be "wholesome and interesting" work that benefitted both

Muhammad, *The Condemnation of Blackness: Race, Crime, and the Making of Modern Urban America* (Cambridge: Harvard University Press, 2010); David M. Oshinsky, *Worse than Slavery: Parchman Farm and the Ordeal of Jim Crow Justice* (New York: Free Press, a division of Simon & Schuster, 1996); Karin A. Shapiro, *A New South Rebellion: The Battle against Convict Labor in the Tennessee Coalfields, 1871-1896* (Chapel Hill: University of North Carolina Press, 1998) and Jane Zimmerman, "The Penal Reform Movement in the South During the Progressive Era, 1890-1917," *The Journal of Southern History* 17, no. 4 (November 1951).

²¹ George Brown Tindall, *The Emergence of the New South, 1913-1945* (Baton Rouge: Louisiana State University Press, 1970),

²² This was a common practice in prisons throughout the United States. However, the products of convict labor differed slightly between the North and South. Convict labor in the South was primarily agricultural while prison industry in the North focused on the construction of manufactured goods. For more see David J. Rothman, *Conscience and Convenience: The Asylum and Its Alternatives in Progressive America* (New York: Aldine de Gruyter, 1980), 137-143 and William G. Staples, *Castles of Our Conscience: Social Control and the American State, 1800-1985* (New Brunswick, N.J.: Rutgers University Press, 1991), 26-48.

²³ Zimmerman, "The Penal Reform Movement," 463-464 & 466.

the prisoner and the state; “if we have any human sympathy for, or interest in, prisoners, we will see to it that they have a chance to work.”²⁴

Prison labor in the South expanded to include road construction during the zenith of the populist movement in the 1890s, in which farmers in the region began pushing for the infrastructure necessary to get their goods to market. Lawmakers saw road construction as a valuable venue to employ convict labor and by 1886, the state legislatures of Alabama, Arkansas, Florida, Georgia, South Carolina, Mississippi, North Carolina, Tennessee, and Texas made provisions for the chain gang system.²⁵ Much like convict farming, road construction was seen as beneficial to both society and prisoners. The chain-gang system, although seen as positive change in penal reform, was far from modern or progressive as it strengthened the power of the carceral state. Despite this, reformers saw the abandonment of the convict lease system as a necessary step in improving the penal system, however they believed much work still needed to be done in caring for specific sub-populations within state prisons, namely white women and children.²⁶

²⁴ Associated Press, “Advocates Farm Work For Convicts,” *The Spartanburg Herald*, October 22, 1911. It is important to note that the interpretation of prison farm labor changes when taken in context of the length of a prisoner’s sentencing. For an inmate serving a sentence of two or three years, this labor can be viewed as job training for their life outside of prison. To the prisoner serving a life sentence, this agricultural work suddenly becomes an indefinite term of indentured servitude, as there is no opportunity to put whatever life skills are learned from this labor to use as a parolee.

²⁵ Zimmerman, “The Penal Reform Movement,” 469; for more on chain gangs see Dennis Childs, *Slaves of the State: Black Incarceration from the Chain Gang to the Penitentiary* (Minneapolis: University of Minnesota Press, 2015) and Walter Mosley, *Workin' on the Chain Gang: Shaking off the Dead Hand of History* (Ann Arbor: University of Michigan Press, 2006).

²⁶ Zimmerman, “The Penal Reform Movement,” 471.

Institutions for White Children in the South

Prior to the conclusion of the Civil War, few carceral facilities existed in the South. In North Carolina, for example, the state's deaf and blind citizens were the only groups to have state owned institutions set up for their care.²⁷ According to the North Carolina State Board of Charities and Public Welfare, the slave owning class stood in place of jails and prisons like those found in the North. "With authority over the bodies and souls of his slaves," the board contended, "the plantation master was the lawfully constituted person" to ensure the subordination of African Americans. When the end of the Civil War and abolition of slavery ushered in a "new social order" in the region, southerners established facilities that could segregate and punish newly freed blacks. The state prison, according to the board, "was founded partly as a result of these new conditions and was adapted mainly to the punishment of this class."²⁸

For decades, "criminal" boys and men labored side by side until their sentences were served.²⁹ The state made little distinction between convicts, rarely taking into consideration

²⁷ Facilities for the deaf and blind in North Carolina opened in 1845.

²⁸ North Carolina State Board of Charities and Public Welfare, "History of North Carolina's Charitable and Penal Institutions Shows Certain Humanitarian Ideas Among the People of this State," *Public Welfare Progress*, Volume 4 no. 7, November 1923, 1 & 5.

²⁹ Contemporary discussions over mass incarceration have influenced historians to look at how and why the United States presently incarcerates more of its citizens than any other country in the world. As a result, the historiography of U.S. prisons is one that is garnering much attention. In this literature, northern prisons receive much of the attention. However, Robert Perkinson argues in his book *Texas Tough: The Rise of America's Prison Empire* (New York: Metropolitan Books, 2010), "the history of punishment in the United States is more of a southern story." Indeed, Perkinson contends that the South's desire to maintain racial and social caste systems employed punitive policies that are merely a continuation of nineteenth century slavery. Throughout the late nineteenth and early twentieth centuries, the southern carceral state employed a convict lease system that leased out convict labor to private plantations and business. Reformers pressured the state to abolish this system in

the age or offense of those committed. The first juvenile facilities in the South opened at the turn of the twentieth century and housed primarily white male delinquents. Prior to the establishment of these institutions, southern courts sentenced young male offenders to serve time alongside adult felons and misdemeanants in local jails and penitentiaries. This tradition disturbed a number of reformers who began pressuring state legislatures to open separate facilities for children.

In the first 200 years of American history, children were seen as a source of economy; as soon as a child could perform labor they were expected to contribute to the family income. According to historian Paula S. Fass, by the late nineteenth century, childhood changed as “the Victorian mother and child came to dominate sentimental representations of [white middle class] family life.”³⁰ New categorizations of childhood not only influenced reformers to fight to end child labor and support compulsory education movements, it also inspired

exchange for convict farm labor and road construction. For more on these efforts see Dennis Childs, *Slaves of the State: Black Incarceration from the Chain Gang to the Penitentiary* (Minneapolis: University of Minnesota Press, 2015); Alexander C. Lichtenstein, *Twice the Work of Free Labor: The Political Economy of Convict Labor in the New South* (London: Verso, 1996); Walter Mosley, *Workin' on the Chain Gang: Shaking off the Dead Hand of History* (Ann Arbor: University of Michigan Press, 2006); Khalil Gibran Muhammad, *The Condemnation of Blackness: Race, Crime, and the Making of Modern Urban America* (Cambridge: Harvard University Press, 2010); David M. Oshinsky, *Worse than Slavery: Parchman Farm and the Ordeal of Jim Crow Justice* (New York: Free Press, a division of Simon & Schuster, 1996); Karin A. Shapiro, *A New South Rebellion: The Battle against Convict Labor in the Tennessee Coalfields, 1871-1896* (Chapel Hill: University of North Carolina Press, 1998); Zimmerman, “The Penal Reform Movement in the South During the Progressive Era, 1890-1917,” *The Journal of Southern History* 17, no. 4 (November 1951).

³⁰ Paula S. Fass and Mary Ann Mason, *Childhood in America* (New York: New York University Press, 2000), 2.

efforts to have convicted children removed from adult carceral facilities and into separate juvenile institutions.³¹

From the late nineteenth through the early twentieth century, institutions for delinquent children often changed in name or description, but their intended purpose and methods went virtually unaltered. Beginning in the 1830s, institutions for juvenile delinquents were referred to as homes of refuge, which were “early attempts at penal specialization.” Most often established by philanthropists who were troubled by the incarceration of children in adult prisons, homes of refuge were intended to provide a correctional environment for dependent and delinquent youth.³² Towards the end of the nineteenth century these types of institutions changed their name to “reform schools.” This was meant to invoke a more nurturing public image, although it was still regimented and punitive in nature. The names of these institutions changed again in the first decades of the twentieth century to “training schools,” in which reformers hoped to utilize new theories in social science, vocational training, and education to rehabilitate delinquent youth. While the branding of these institutions may have changed, they still housed the same types of delinquents and followed a largely custodial, rather than reformatory, model.³³

Since their inception, institutions for delinquent children received youth whose crimes were often measured against gender and racial understandings of the time. Girls and women were arrested more often for sex crimes (immoral acts) than for any other reason.

³¹ Ibid.

³² Blake McKelvey, *American Prisons: A Study in American Social History Prior to 1915* (Chicago: University of Chicago Press, 1936), 12.

³³ Rothman, *Conscience and Convenience*, 263-264.

Boys and men were being arrested at higher rates for non-sex crimes such as burglary, theft, and assault even though they were equally involved in sex-related “criminal” activity as women.³⁴ The average percentage of men convicted of sex offenses (except rape) in the reporting years of 1910, 1923, and 1926 was three percent while twenty-two percent of convicted women were incarcerated for the same crime.³⁵ This suggests not only a double standard between boys and girls, but also implies that female sexuality was a bigger threat to society than the sexual acts of white boys. For example, the majority of girls were brought because of acts of immorality or incorrigibility, but incorrigibility was “often a mere euphemism” for “sex crime.” George B. Mangold, Sociologist and former director of the Missouri School of Social Economy, argued that the female sex was weak in mentality and willpower and was more susceptible to sexual temptation: “Young girls are frequently ensnared by men because they do not have sufficient willpower to resist evil.”³⁶ Because of this, Mangold contended, “The delinquent girl is a most serious problem and cannot have too much attention.”³⁷

African Americans were arrested at a higher rate than whites for the same offenses. Indeed, one of the glaring characteristics of the American carceral state that began after the

³⁴ Edwin H. Sutherland, *Criminology* (Philadelphia: J. B. Lippincott Company, 1924), 92.

³⁵ The report did not include rape in the sex offenses committed by men because it was its own category. Even when adding the percentages for rape (four percent) to sex offenses, male incarceration for sex related crimes paled in comparison to women. U.S. Census Bureau, “Prisoners in State and Federal Prisons and Reformatories: 1926.” Prisoners Received During 1926, 1923, and 1910 Table 5, 10.

³⁶ George B. Mangold, *Problems of Child Welfare* (New York: The MacMillan Company, 1926), 307.

³⁷ *Ibid.*, 460.

Civil War is the overrepresentation of blacks in prisons and jails. For example, in 1880, African Americans were thirteen percent of the U.S. population, and twenty-nine percent of the prison population. In 1923, African Americans comprised ten percent of the population, and thirty-two percent of the prison population.³⁸ Black males constituted a higher percentage (approximately twelve percent) of the prison population convicted of homicide, compared to white males (approximately four percent). Black females were committed to institutions six times as frequently as white females, and also composed a greater percentage of women convicted of homicide (fifteen percent compared to one percent of white females).³⁹ Despite the high rates of African American incarceration, progressives rarely concerned themselves with the rehabilitation of convicted black women and children.

Progressives believed that the best way to reform delinquent children was to tailor individualized rehabilitation plans that considered each child's family and medical history. According to historian David J. Rothman, "Rules could not be made in advance. Every person had to be treated differently. Fixed codes or set procedures were both unfair and ineffective."⁴⁰ While progressives promoted the establishment of institutions for delinquent children, they also wondered if the regimentation of reformatories would be counterproductive to their mission. Regardless, state authorities throughout the United States often supported the establishment of carceral facilities for children since it allowed for "the

³⁸ Margaret Werner Cahalan, "Historical Corrections Statistics in the United States, 1850-1984," U.S. Department of Justice Bureau of Justice Statistics, December 1986, 91.

³⁹ Sutherland, *Criminology*, 105; U.S. Census Bureau, "Prisoners in State and Federal Prisons and Reformatories: 1926." Prisoners Received During 1926, By Race and Nativity Table 27, 32.

⁴⁰ Rothman, *Conscience and Convenience*, 6.

enlargement of their discretionary power.”⁴¹ The mission of these institutions, in theory, though rarely in reality, was to rehabilitate delinquent children through individualized treatment, education, and recreation. However, most of the juvenile reformatories for boys downplayed education in favor of farm and industrial labor in order to offset the cost of maintaining the facilities.

The Alabama Boys Industrial School (ABIS), chartered by the state legislature in February 1899 at the urging of prominent reformer Elizabeth Johnston, opened its doors to delinquent boys in 1900.⁴² ABIS sought to provide its students with diverse industrial and recreational training. The purpose of the school was to provide for the “mental, spiritual, and physical training of that unfortunate class of wayward, misguided boys.”⁴³ Proponents of juvenile detention homes most often blamed parents for creating a poor environment conducive to delinquency.⁴⁴ To make up for the parental failure, Alabama’s legislature embraced a paternalistic policy in the management of prisons. In a 1909 report, superintendent of the Alabama School for Boys, Colonel D.M. Weakley, stated, “In all respects this School aims to be a father and mother to the unfortunates . . . to many, it is the

⁴¹ Ibid.

⁴² Jerry C. Armor, *A Home for Wayward Boys: The Early History of the Alabama Boys' Industrial School* (Montgomery, AL: New South Books, 2014), 13. Elizabeth Johnston was a member of the Alabama Federation of Women’s Clubs.

⁴³ D.M. Weakley, “Report of the Superintendent” in Annual Report, Alabama Boys Industrial School, 1905-1909, 15-16, Box SG013365, State Publications of the Alabama Boys Industrial School, ADAH, Birmingham, AL.

⁴⁴ At the turn of the twentieth century, officials believed there were two primary causes of delinquency: environmental and hereditary. Doctors and psychiatrists especially believed criminality was the direct result of poor genetics. These ideas will be discussed further in chapter two.

best home they have ever known.”⁴⁵ In this way, officials embraced the paternalism that went along with progressive reform.

As in the examples of Texas and Tennessee, detention facilities for boys were often more punitive than reformatory. Inmates in Texas’s Gatesville State School for Boys spent most of their day laboring in the campus’s 700 acres of fields. Credited as the first institution of its kind in the South, the Texas legislature established Gatesville on March 20, 1887, and accepted its first inmates in January 1889. The push for such a reformatory came from the Texas chapter of the Women’s Christian Temperance Union (WCTU), which was disgusted by the incarceration of young children alongside adult felons.⁴⁶ The initial population of sixty-eight boys, all under the age of sixteen, was transferred to Gatesville from the state penitentiary in Huntsville.⁴⁷

⁴⁵ This is not to suggest that these paternalistic policies did not exist in the North. Lawmakers throughout the United States fashioned juvenile courts and in such a way that would transfer guardianship over “wayward” youth from parents to the state. I maintain, however, that southern officials did so as part of a larger attempt to maintain social, racial, and gender hierarchies that they saw as unique to their region. D.M. Weakley, “Report of the Superintendent” in Annual Report, Alabama Boys Industrial School, 1905-1909, 14, Box SG013365, State Publications of the Alabama Boys Industrial School, ADAH, Birmingham, AL.

⁴⁶ For more on women’s public activism in Texas see J Elizabeth W. Fernea and Marilyn P. Duncan, eds., *Texas Women in Politics* (Austin, TX: Foundation for Women's Resources, 1977); Judie Gammage, “Quest for Equality: An Historical Overview of Women's Rights Activism in Texas, 1890-1975” (Ph.D. diss., North Texas State University, 1982); Emma L.M Jackson, “Petticoat Politics: Political Activism among Texas Women in the 1920s” (Ph.D. diss.) and Judith N. McArthur, *Creating the New Woman: The Rise of Southern Women's Progressive Culture in Texas, 1893-1918* (Urbana: University of Illinois Press, 1998).

⁴⁷ “Manual on Preparation of Children for Admission to the State Training Schools,” 1956, 17, “Folder – Agency Wide Manuals,” Box 1999/087-1, Policy and procedure handbooks and manuals, records, Texas Youth Commission (TYC), Archives and Information Services Division, Texas State Library and Archives Commission (TSLAC), Austin, TX. For more on Texas prisons see Theresa R. Jach, “Reform versus Reality in the Progressive Era Texas

Gatesville stood out among the South's juvenile institutions because of its admission of both white and black male youth. African American boys made up a disproportionate number of the school's inmates, constituting over half of Gatesville's initial population. Although the school was integrated, "it strictly segregated every aspect of their daily lives."⁴⁸ In the South's segregated facilities for male adolescents, the states appropriated a disproportionate amount of funding to institutions for white boys. Tennessee's General Assembly established the State Training and Agricultural School for Boys at Nashville in 1914 for the custody and training of white males between the ages of eight and eighteen who the courts deemed as delinquent. Three years later, the state legislature opened the State Training and Agricultural School for Colored Boys near Pikesville. In one report, the state noted that with the exception of formal schooling, "there was very little difference between the standards of the white boys' school and the colored boys' school." There was, however, a noticeable difference in state expenditure between the institutions for white and black boys. The home for African American male juveniles received about half of the appropriation as the school for white boys despite the fact that both facilities housed approximately 350 inmates.⁴⁹

Prison," *The Journal of the Gilded Age and Progressive Era* 4, no. 1 (January 2005); Paul M. Lucko, "A Missed Opportunity: Texas Prison Reform during the Dan Moody Administration, 1927-1931," *The Southwestern Historical Quarterly* 96, no. 1 (July 1992) and Robert Perkinson, *Texas Tough: The Rise of America's Prison Empire* (New York: Metropolitan Books, 2010).

⁴⁸ William S. Bush, *Who Gets a Childhood? Race and Juvenile Justice in Twentieth-century Texas* (Athens, GA.: University of Georgia Press, 2010), 12.

⁴⁹ Prior to 1935, the appropriation made to Tennessee's reformatory for white boys included the appropriation for the school for African American boys. In 1935, separate appropriations were made to each institution and they then began operating independently. Between 1935-1937, the reformatory for African American boys in Tennessee received \$132,400 while the

Tennessee's white and black juvenile male offenders spent their days working in agricultural production and facility maintenance. However, the day-to-day activities of white and black boys differed significantly. For white boys in Tennessee's training school, the majority of their time was filled with formal education, followed by facility maintenance and recreational activities in the evenings. Black male youth, on the other hand, received very little education and were expected, instead, to perform manual labor until they were locked in their rooms at six o'clock in the evening, three hours before their white counterparts. Further, while white male youth enjoyed small periods of socialization and recreation, these activities were limited to Sunday afternoons for African American male youth. When schools allowed the black inmates to socialize, they were required to keep military formation: black male inmates were not afforded the same reprieve from restraint and regimentation that occurred in the institution for white boys.⁵⁰

institution for white boys received \$202,890 even though both institution housed approximately the same number of inmates (332 boys at the white reformatory and 313 at the black institution.) After doing a line item comparison of the expenses at each institution, I was able to find where the extra money was being expended at the school for white boys. Most of the expenses at the two reformatories were the same or close in averages. However, spending on "freights, drayage and express," lights and gas, and "general supplies" at the white school greatly exceeded what was spent on the same items at the black institution. The largest spending gap between the schools was in "food and human consumption." In 1935 and 1936, the money allocated to food and consumption averaged \$17,517.14 at the institution for African America boys, and \$25,366.31 at the facility for white boys. Tennessee State Planning Commission, "A Study of State Institutions," Volume I, State Training and Agricultural School for Colored Boys, January 1937, 8-11 and Tennessee State Planning Commission, "A Study of State Institutions," Volume IV, State Training and Agricultural School for Boys, August 1937, 9-11, Tennessee State Library and Archives (TSLA), Nashville, TN.

⁵⁰ Tennessee State Planning Commission, "A Study of State Institutions," Volume I, State Training and Agricultural School for Colored Boys, January 1937, 37, TSLA, Nashville, TN.

At the turn of the century, courts made a distinction between adults and juveniles and determined that it was the state's responsibility to step in as a pseudo parent to their young citizens when poverty or immorality threatened their wellbeing.⁵¹ By claiming a need to protect children, reformers in the state "intruded into the privacy of families" in a way unparalleled in American history.⁵² Progressives called on the state to increase their supervision over adolescents, which compromised the civil liberties and privacy of this population.⁵³ Officials not only saw a social benefit to removing "delinquent" boys from society, they also believed that the labor performed by the young inmates would be an effective "reform" tool that could offset the cost of the facilities.

However, prescribed gender norms of the day made juvenile reform through labor incompatible with the care and training of delinquent girls. The state believed that the supposed physical limitations of the female sex would not allow for the same farm labor that existed in the institutions for boys. When it came to reformatories for women, the state needed to institute a labor program that fit within the realm of "women's work." Officials contended that anything that required the use of heavy machinery could not work in

⁵¹ This was inspired in large part by progressives who pushed for child welfare legislation and are often referred to as "child-savers." For more on the child-saving movement see *Daughters of the State: A Social Portrait of the First Reform School for Girls in North America, 1856-1905* (Cambridge: MIT Press, 1985); Sanford J. Fox, "Juvenile Justice Reform: An Historical Perspective," *Stanford Law Review* 22, no. 6 (June 1970); Anthony Platt, *The Child Savers: The Invention of Delinquency*, 40th ed. (New Brunswick, N.J.: Rutgers University Press, 2009); Ellen Ryerson, *The Best-laid Plans: America's Juvenile Court Experiment* (New York: Hill and Wang, 1978).

⁵² Mary Ann Mason, "The State as Superparent," in *Childhood in America*, ed. Paula S. Fass and Mary Ann Mason (New York: New York University Press, 2000), 551.

⁵³ Platt, *The Child Savers*, 4.

reformatories for females without the presence of male “civilian assistants.”⁵⁴ However, this “limitation” did not stop progressive organizations from establishing carceral facilities for women and girls in the first decades of the twentieth century.

One organization that took on reformatory building in the South was a group who called themselves the Board of Lady Managers. In 1908 they opened The Home of Refuge, originally named the Home for the Friendless, in a small house located in Jefferson County, Alabama. It remained there until it moved shortly thereafter to East Lake, near Birmingham. Like similar institutions for delinquent girls throughout the region, the facility was not the result of legislative action. Instead, this private reform home opened because of the efforts of “a few good women” who realized “the danger of neglecting the young girl.” After campaigning for funds throughout the community, the board purchased a lot and home with private donations.⁵⁵ In 1911, the Board of Lady Managers applied to the legislature for a charter that would allow the state to take control of the land and management of the institution in exchange for an appropriation to cover the remaining debt on the property and to provide for the home’s maintenance. The legislature accepted and appropriated \$3,000 per annum for maintenance.⁵⁶

⁵⁴ Committee on the Care and Training of Delinquent Women and Girls, “Industries for Correctional Institutions for Women,” report, New York, 1927, 8-9. Call number HV8928.N3, Library of Virginia (LVA), Richmond, VA.

⁵⁵ “Report of the Board of Managers of the Alabama Home of Refuge,” 1 January 1915, 5, Box SG21790, State Training School for Girls, Board of Managers Annual and Biennial Reports ADAH, Birmingham, AL.

⁵⁶ The City of Birmingham and the County of Jefferson contributed fifty dollars and thirty-five dollars a month respectively. This brought the income of the home to \$4,000 a year. “Report of the Board of Managers of the Alabama Home of Refuge,” 1 January 1915, 5, Box SG21790, State Training School for Girls, Board of Managers Annual and Biennial Reports ADAH, Birmingham, AL.

The board saw the need to “protect” and “rescue” young white girls of Alabama who appeared at risk of becoming “fallen women.” But by 1915 the women recognized that meager state appropriations (\$150 per inmate per annum) limited what the institution was able to do for their inmates. The forty-six girls housed in the reformatory represented nineteen of Alabama’s counties, but the Lady Managers worried about the “hundreds of neglected girls” in need of refuge that the home could not hold.⁵⁷ According to James Bowron, a member of the Birmingham Board of Public Welfare, the institution had grown in some ways but not in others. He blamed the state’s failure to fund expansion and maintenance. He contended that while the condition of the home sustained the needs of the city, “they are distressingly inadequate for the needs of a great State.” Bowron continued to argue that the girls housed in the reformatory “are infinitely more sinned against than sinning. In some cases children 9 or 10 years of age there, victims of men’s inhumanity.”⁵⁸ He urged the state to recognize the intent of the institution to transform these girls into “useful members of society” rather than permitting them to continue a downward spiral “leading inevitably to their becoming public charges.”⁵⁹

⁵⁷ “Report of the Board of Managers of the Alabama Home of Refuge,” 1 January 1915, 5, Box SG21790, State Training School for Girls, Board of Managers Annual and Biennial Reports, ADAH; “Biennial Report of the Board of Managers of the State Training School for Girls,” October 1922, Box SG21790, State Training School for Girls, Board of Managers Annual and Biennial Reports, ADAH, Birmingham, AL.

⁵⁸ The sentiment that “wayward” youth were “more sinned against than sinning” and were the “victims of men’s inhumanity” were common at the turn of the century as reformers used these arguments to urge the state to open separate facilities for children. These statements do not usually refer to a specific crime of man against children, but instead are used as general commentary on society’s failure to protect youth.

⁵⁹ “Report of the Board of Managers of the Alabama Home of Refuge,” 1 January 1915, 15, Box SG21790, State Training School for Girls, Board of Managers Annual and Biennial Reports, ADAH, Birmingham, AL. The state used the classification “likely to become public

Similarly, progressives in North Carolina influenced the opening of Samarcand Manor, also known as North Carolina's State Industrial Home for Girls, in 1918.⁶⁰ Prior to Samarcand's establishment, young girls could be found in jails and almshouses throughout the state, which upset many reformers and violated the Probation Courts Act, a state law that forbade the imprisonment of any child under the age of fourteen to prisons in which the youth could be in the company of adult criminals.⁶¹ The push for an all girls reformatory in North Carolina came from a group of reformers led by A.A. McGeachy, a local Presbyterian minister.⁶²

charge" (LPCs) as a catch-all category for those who did not fit into "normal" society and relied (or could rely) on the state for support, namely children born out of wedlock, promiscuous women, immigrants, and single mothers. This language was prevalent during the first few decades of the twentieth century, and was especially popular among eugenicists, which will be discussed more in the next chapter. Historians of immigration have done an excellent job of explicating the state's definition of LPCs and have shown how this classification influenced policymaking. Although they focus on immigration specifically, their work informs several aspects of U.S. domestic policymaking. For more on this see Martha Mabie Gardner, *The Qualities of a Citizen: Women, Immigration, and Citizenship, 1870-1965* (Princeton, N.J.: Princeton University Press, 2005) and Mae M. Ngai, *Impossible Subjects: Illegal Aliens and the Making of Modern America* (Princeton, NJ: Princeton University Press, 2004).

⁶⁰ Samarcand's location originally housed the Marienfield Open Air School for Boys, a private college preparatory school founded by a New England educator named Dr. Hanford Henderson in 1914. However, the economic and manpower demands of World War I forced Marienfield to close its doors just three years after its opening.

⁶¹ Although guards made every effort to segregate the women and girls in the state penitentiary from the male prisoners in the institution, these prisoners still defied the rules and snuck their way into the company of the women and girls. The "fresh prettiness" of one 14-year-old girl made her "particularly the object" of the male prisoners' attention. National Child Labor Committee, *Child Welfare in North Carolina* (New York: National Child Labor Committee, 1918), 28 & 78. For more on the Probation Courts Act see Tamar R. Birckhead, "North Carolina, Juvenile Court Jurisdiction, and the Resistance to Reform," *North Carolina Law Review* 86, no. 6 (September 2008): 1473.

⁶² Because of their instrumental role in the opening of Samarcand, Governor Thomas Bickett appointed McGeachy, along with Mrs. J.R. Chamberlain, Mrs. Myrtle Page, Dr. Delia Dixon

Agnes B. McNaughton served as Samarcand's first superintendent from 1918 to 1934. A Scotswoman who had grown up in Ontario, Canada, McNaughton spent much of her early career teaching in correctional institutions throughout the Northeast. McNaughton's interest in Samarcand extended well past progressive policy, and in the early months of the school's existence, state subsidies were so inadequate that McNaughton used money from her personal account to help sustain the institution.⁶³

In some cases, the opening of all-female institutions, even by private individuals and organizations, was delayed because of resistance from members of the surrounding community. The Virginia Home and Industrial School for Girls at Bon Air opened in 1910, nearly twenty years after the state's institutions for boys. This lag was best explained by the reluctance of Virginia's "respectable citizens" to donate funds that went toward anything that would benefit "unfortunate girls designated as street walkers or called incorrigible for the variety of reasons so well known in police circles."⁶⁴ Girls and women convicted of sex crimes, or so-called "fallen women," were stigmatized to the point of being outcasts in society. Employers often denied jobs to convicted women, which often forced ex-convicts

Carroll, W.S. Blakeney, and Mrs. Stephen C. Bragaw, as members of the first Board of Managers of Samarcand, a position many of them held through the 1940s when the legislature ordered all correctional institutions to be placed under the care of a state-wide board; W.A. Stanbury, "Resolution," 1945, "Myrtle Page Death Memorabilia 1945," Box - Samarcand, SANC, Raleigh, NC.

⁶³ "50th Anniversary: Samarcand Manor," Pamphlet, 1968, "Samarcand 50th Anniversary History Pamphlets," Box - Samarcand, SANC, Raleigh, NC.

⁶⁴ "Industrial School Consolidation, History and Information - 1941," 1, Records, Virginia's Industrial School, Accession #26235, Volumes 1 & 2, BC 1068498 and 1068499, Record Group 42, Department of Corrections (DOC), LVA, Richmond, VA.

into a perpetual cycle of prostitution and incarceration.⁶⁵ Further, members of society did not perceive “fallen women” as worthy or capable of rehabilitation and therefore withheld support from the establishment of separate institutions for women and girls.⁶⁶ These misunderstandings of female sexuality yielded a number of consequences for the Commonwealth’s female youth. Instead of going to a training school, delinquent girls were often sentenced to serve weeks or months in county jails and almshouses. Further, the state relied on neighboring states and private institutions for the care of delinquent girls in Virginia.⁶⁷

Plans for a training school for white girls in Virginia began in 1905 and the state was to provide the same appropriations as it did to the institution for white boys, “but the plan was more visionary than real, for the founders had the spirit without the funds.”⁶⁸ Lack of funds delayed the project another four years, until the citizens of Richmond raised enough money to buy property for the correctional institution. The school opened its doors in 1910 for “The care and training of incorrigible or vicious white girls.”⁶⁹

⁶⁵ Freedman, *Their Sisters' Keepers*, 14.

⁶⁶ “Industrial School Consolidation, History and Information – 1941,” 1, Records, Virginia’s Industrial School, Accession #26235, Volumes 1 & 2, BC 1068498 and 1068499, Record Group 42, DOC, LVA, Richmond, VA.

⁶⁷ *Ibid.*, 2.

⁶⁸ *Ibid.*

⁶⁹ Daniel Grinnan, “Certificate of Incorporation of the Virginia Home and Industrial School for Girls,” Resolution, January 12, 1906, 1, “Folder 3 - Virginia Home and Industrial School for Girls – 1910-1915,” Box 68, Executive Papers of Henry C. Stuart (HCSP), LVA, Richmond, VA.

Many residents in Bon Air objected to the schools' location in their county and wrote several letters of petition to have the facility moved to another part of the state. One spirited objector, E.B. McCluer, editor of the *Presbyterian of the South* and pastor of Park Avenue Church in Norfolk, Virginia, wrote to Governor Henry Stuart on a number of occasions urging the state to move the home. McCluer contended that the institution's "thirty females, all of whom are known to be unchaste and a large number are young women of most debased and revolting character" tarnished their community. When discussing the inmates, McCluer argued, "They represent the class that has been the most loathed, shunned and abhorred in all ages and all lands. The conduct of these women in that community has been of the basest and most shocking character. No fouler extremes of moral degradation have ever been reached so far as I have ever heard or read." Considering the state's knowledge as to the "filth" that were housed in the home, the imposition of the school's location in Bon Air, McCluer contended, exposed how the Commonwealth showed no regard for the "refined womanhood" of the ladies in his community. This was an "insult," he exclaimed, to mothers, wives, and daughters and "an outrage upon innocent and defenseless children."⁷⁰

When writing to Stuart, McCluer played to ideas of southern chivalry and masculinity by arguing how the schools' presence in Bon Air was an insult "hurled into the faces of our wives and daughters." For this reason, he contended, it was necessary to defend one's family with loud objection. McCluer, then, sought to "appeal to the manhood of those who direct

⁷⁰ E.B. McCluer to Governor Henry C. Stuart, February 10, 1914, "Folder 3 - Virginia Home and Industrial School for Girls - 1910-1915," Box 68, HCSP, LVA, Richmond, VA.

and administer our affairs” and to help the Governor realize that the schools’ location was a “charge against . . . the most honorable and chivalrous gentlemen of the State.”⁷¹

The outspoken animosity towards the Bon Air school represents one of the many reasons southern legislatures took control over juvenile institutions for girls. In its first few years, a number of complaints and controversies threatened Virginia’s only all-girl institution. Immediately after its opening, the few inmates housed at the institution attempted to burn the facility down and school officials felt as though they needed extra protection from possible rebellion.⁷² The State Board of Charities and Corrections performed an investigation of the institution in the hopes of alleviating some the school’s problems, but its conclusions held that there was nothing “radically wrong with the Home.”⁷³ It appeared from their inquiries that the inmates’ primary complaints centered on labor. The girls protested the amount of work expected of them. A number of “witnesses” came forward during the investigation stating that they believed the girls at Bon Air to be overworked in tasks that were “improper for women.”⁷⁴ Further, the inmates were especially frustrated by the presence of an African American male supervisor. The board disagreed with the inmates about the amount and type of work the girls performed, arguing “the best results with girls of

⁷¹ Ibid.

⁷² “Industrial School Consolidation, History and Information – 1941,” 3, Records, Virginia’s Industrial School, Accession #26235, Volumes 1 & 2, BC 1068498 and 1068499, Record Group 42, DOC, LVA, Richmond, VA.

⁷³ “Report of the State Board of Charities and Corrections on the investigation of the Virginia Home and Industrial School for Girls,” 1, “Folder 3 - Virginia Home and Industrial School for Girls – 1910-1915,” Box 68, HCSP, LVA, Richmond, VA.

⁷⁴ Throughout the report, the board refers to “witnesses” but does not identify who these witnesses were. It is inferred upon reading through the report the “witnesses” appear to include members of the community, officials at the institutions, and the inmates themselves.

this class can be accomplished only by abundant, strenuous, out-of-door exercise.” The girls, according to the board, were after all “not normal girls in any sense of the word,” and in many instances were “mentally deficient . . . neurotics and sometimes nymphomaniacs.” The only way to restrain girls of this type, in their eyes, was through “hard physical exercise.”⁷⁵

The board did find consensus with the girls on one matter, vehemently disagreeing with the employment of an African American male guard at the school. According to their report, it was “wrong in principle and policy to employ a negro in any capacity that gave him control of white girls.” Beverly Banks, the black man who oversaw labor performed at the institution, received glowing recognition for his professionalism by school officials, and although the board could not prove that he “had violated the trust imposed in him” or that he had “taken the slightest advantage of the girls under his charge,” his employment was terminated. The board felt that “proper race sentiment” should have prevented his hiring in the first place.⁷⁶

The case of Beverly Banks points to a larger discussion of gender, race, sex, and crime in the early twentieth century. Although officials considered the inmates at Bon Air to be sexual deviants, the presence of a black man led the state to downplay the delinquency of the girls while they also imposed a suspicion of sexual impropriety on Banks. This was common practice among whites in the first half of the twentieth century who often conjured

⁷⁵ “Report of the State Board of Charities and Corrections on the investigation of the Virginia Home and Industrial School for Girls,” 4, “Folder 3 - Virginia Home and Industrial School for Girls – 1910-1915,” Box 68, HCSP, LVA, Richmond, VA. Around the turn of the century, state officials, doctors, and psychiatrists began explaining the causes of crime using medical terms and diagnosis. These experts saw a direct correlation between mental illness and criminal behavior, most of which they believed was hereditary. This is discussed further in chapter two.

⁷⁶ Ibid., 2.

up stereotypes of the “black male rapist” in order to stigmatize African Americans while casting white women as weak and in need of white masculine protection. The consequences of this sexual classification of black men were dire as many white vigilantes attacked and often killed suspected African American rapists while the state looked the other way.⁷⁷

The controversies surrounding the Bon Air school were so numerous that a bill was proposed to the General Assembly in 1914 to have the institution closed down. In order to alleviate the problems within the facility and the growing objections from Bon Air’s citizens, the board believed it best for the state to take over the school: “We are of opinion that many of the problems of the home will be solved as soon as the State recognizes its direct responsibility for these little girls and ceases to impose on generous men the arduous task of providing for them.” One of those “generous men,” John P. Branch, a wealthy Virginian, philanthropist, and past president of the home for girls, agreed with the board’s recommendation. “We have spent thousands of dollars of our money . . . in equipping this Home,” Branch contended and instead of giving in to local protest by moving the home, he thought it best for the state to take possession of the school.⁷⁸ After much petitioning, the Commonwealth adopted the Virginia Home and Industrial School for Girls as a state institution in March of 1914.

Another reason southern states began absorbing privately owned correctional institutions for girls was the dramatic social and economic changes that occurred at the turn

⁷⁷ Jacquelyn Dowd Hall, *Revolt against Chivalry: Jessie Daniel Ames and the Women's Campaign against Lynching*, rev. ed. (New York: Columbia University Press, 1993), xxi and Nancy MacLean, *Behind the Mask of Chivalry: The Making of the Second Ku Klux Klan* (New York: Oxford University Press, 1994), 146.

⁷⁸ John P. Branch to Governor Henry C. Stuart, 11 February 1914. “Folder 3 - Virginia Home and Industrial School for Girls – 1910-1915,” Box 68, HCSP, LVA, Richmond, VA.

of the twentieth century. The emergence of new economic opportunities for women inspired unmarried females to step outside of the domestic sphere and occupy public spaces.⁷⁹ With this movement, parents felt as though they were losing control over their daughters and turned to the state for help in protecting their child's virtue.⁸⁰

According to the state, the medical and economic consequences that came with promiscuity were the most concerning aspects of the sexually autonomous "new woman." The onset of World War I gave way to growing concern over prostitution and the sexual and physical well being of American troops housed in military bases. The spread of sexually transmitted diseases (STDs) among enlisted men concerned lawmakers across the country. The National Florence Crittenton Mission contended:

When men and girls are changing their occupations and breaking with old ways of life, when war disciplines are being removed and when spirits are buoyant, the greatest temptations to self-indulgence occur. Cities and towns throughout the country face now the most important crisis – the biggest emergency yet encountered in the fight against venereal diseases.⁸¹

⁷⁹ The new economic and social opportunities for women in the region were facilitated by some of the change in industry in the "New South." Some women in the South began working at cotton mills, while others migrated to growing urban cities like Atlanta. This trend began in the 1890s and by the 1900s and 1910s various women's organizations began campaigns to "save" women from the moral "danger" that was associated with city living. Georgina Hickey, *Hope and Danger in the New South City: Working-class Women and Urban Development in Atlanta, 1890-1940* (Athens: University of Georgia Press, 2003) 3-4. For more on this Jacquelyn Dowd Hall, "Private Eyes, Public Women: Images of Class and Sex in the Urban South, Atlanta, Georgia, 1913-1915," *Atlanta History* 36, no. 4 (1993): 24-39 and Tera W. Hunter, *To 'Joy My Freedom: Southern Black Women's Lives and Labors after the Civil War* (Cambridge, Mass.: Harvard University Press, 1997).

⁸⁰ For more see Mary E. Odem, *Delinquent Daughters: Protecting and Policing Adolescent Female Sexuality in the United States, 1885-1920* (Chapel Hill: University of North Carolina Press, 1995) and Pippa Holloway, *Sexuality, Politics, and Social Control in Virginia, 1920-1945* (Chapel Hill: University of North Carolina Press, 2006).

⁸¹ National Florence Crittenton Mission, "Ivavota Farms: National Industrial & Agricultural Training School for Girls," pamphlet. HQ316.I9 I9, Record Group 66101, VHS, Richmond, VA.

Historians have recently uncovered progressive attempts at instilling morality in U.S. society. Beginning in the late nineteenth century, officials in the Young Men's Christian Association (YMCA) believed they could "harness the forces of industrialization" to form a class of men who at once participated in industry while proclaiming their Christian faith.⁸² Historian Nancy K. Bristow argues that the United States government saw World War I as an opportunity to instill "progressive values" among citizens through the use of the Commission on Training Camp Activities (CTCA). President Woodrow Wilson and Secretary of War, Newton D. Baker, used the CTCA to encourage a venereal disease free life through various advertising and writing campaigns. They hoped these campaigns would expand to a nationwide adoption of morality. However, this program did little more than incarcerating thousands of women who were accused of seducing soldiers.⁸³ Bristow contends that both white and black southern women "faced discriminatory conditions of detention" since the region lacked all-female carceral institutions, leaving these women vulnerable to abuse within jails and penitentiaries where male criminals were present.⁸⁴

The presence of the "new woman" and spread of STDs forced southern state legislatures to either absorb existing privately owned institutions for women or open facilities where none existed. In Alabama, after three years of private funding, officials in the Board of Lady Managers argued for more state appropriations to make the institution a permanent

⁸² Thomas Winter, *Making Men, Making Class: The YMCA and Workingmen, 1877-1920* (Chicago: University of Chicago Press, 2002), 14.

⁸³ Nancy K. Bristow, *Making Men Moral: Social Engineering during the Great War* (New York: New York University Press, 1996), 124.

⁸⁴ *Ibid.*, 162.

fixture in Alabama's social welfare landscape. In 1911, the board applied for a state charter, agreeing to leave the management of the institution in the hands of the legislature in exchange for funds to pay off liens and provide money for regular maintenance. Alabama's legislature accepted the offer and together with monetary assistance from the City of Birmingham and Jackson County, the Home of Refuge received approximately \$4,000 per year to maintain the institution.⁸⁵

After comparing the state's investments in industrial training for delinquent boys to similar programs for girls in Alabama, the Board of Lady Members pleaded with the legislature: "We beg our girls equal privilege with our boys of the Industrial School in musical and manual training and feel assured the liberal spirit of the State's representatives will recognize the justice of this ambition, and grant to the future mothers of Alabama's citizens these accomplishments that uplift, refine and fit for larger practical industries in after life."⁸⁶ In 1915, Alabama's legislature appropriated \$150 a year per inmate for the maintenance of the institution and renamed the facility the State Training School for Girls.⁸⁷ At the continued behest of the group and other state officials, in 1919 the state appropriated \$300 per year for each inmate, and \$50,000 "for the purpose of erecting new buildings."⁸⁸

⁸⁵ "Report of the Board of Managers of the Alabama Home of Refuge," 1 January 1915, 5, Box SG21790, State Training School for Girls, Board of Managers Annual and Biennial Reports ADAH, Birmingham, AL.

⁸⁶ "Biennial Report of the Board of Managers of the State Training School for Girls," October 1922, 6, Box 1, SG21790, State Training School for Girls, Board of Managers Annual and Biennial Reports, ADAH, Birmingham, AL.

⁸⁷ *Ibid.*, 5.

⁸⁸ In 1915, Governor Emmet O'Neal and Attorney General Robert C. Brickell wrote letters of endorsement on the Institution's behalf. Both men assured the State legislature of the good

The Training School was moved in 1922 to Chalkville, five miles from Birmingham, and contained cottages, a school building, and hospital. According to the Lady Managers, it was the state's responsibility to receive white girls between the ages of 12 and 25 committed to the home by the courts or parents. Those eligible for commitment included any girl abandoned by her parents, orphans, the daughters of drunkards "who were likely to fall into immorality," girls arrested for participating in an "immoral" life, prostitutes outside the control of parental authority, and vagrants.⁸⁹

Similar pressures influenced North Carolina lawmakers to annex Samarcand Manor. The efforts of key local reformers coupled with prostitution on military base camps during World War I inspired the legislature to authorize appropriations for the state school for girls and women. In 1917, the state purchased an abandoned school for \$35,000, and by 1919 Samarcand Manor housed over 200 females between the ages of 10 and 30.⁹⁰ In the early 1920s, state funds for Samarcand increased, and the school was able to construct several new buildings, almost all of which adorned the names of the original board members.

Samarcand's program and expansion helped the institution gain recognition for being "far in advance" compared to other reformatories in most states; "people who live in Pennsylvania, in New York and in California know more about Samarcand than the average resident of Raleigh, Greensboro, or Charlotte, because the institution is considered one of the models of

work occurring within the Home and urged the State to appropriate funds for the construction of new buildings.

⁸⁹ "Agency History Record," Alabama State Training School for Girls, Box SG21790, State Training School for Girls, Board of Managers Annual and Biennial Reports, ADAH, Birmingham, AL.

⁹⁰ "50th Anniversary: Samarcand Manor," Pamphlet, 1968, "Samarcand 50th Anniversary History Pamphlets," Box – Samarcand, SANC, Raleigh, NC.

its kind in the country.”⁹¹ However, the Great Depression left Samarcand, as well as most correctional institutions in the South, without adequate funds to develop the institution further.

The characteristic “sexual deviance” of the “new woman” combined with the exhaustive efforts of Tennessee’s State Federation of Women’s Clubs initiated the opening of Tennessee’s Vocational School for Girls. Thanks to the campaigns of the State Federation of Women’s Clubs, Tennessee’s General Assembly granted legislative authority for the establishment of a state school for delinquent white girls in 1915 and an appropriation of \$35,000 was made two years later. The Nashville Chattanooga and St. Louis Railroad donated 210 acres two miles east of Tullahoma to the state and soon the land housed three cottages and over 100 inmates. The intended purpose of the school was to confine and train girls under the age of 18 who committed offenses punishable by confinement in the state penitentiary or who the courts found guilty of “association with vicious or immoral persons, habitual drunkenness, or frequenting places of disrepute.” The institution housed girls found guilty of felonies and misdemeanors. The courts classified most of the girls as misdemeanants under the catchall labels of “incorrigible” and “uncontrollable.” An analysis of the inmate population found that 57 percent of admissions to the school resulted because of sex offenses.⁹² Authorities often arrested girls who were found occupying “inappropriate” spaces. For example, in the case of a young tomboy named Grace, policemen and soldiers warned her on a number of occasions that the “public spaces” she frequented were “not the

⁹¹ North Carolina State Board of Charities and Public Welfare, “Samarcand Like Well Run Boarding School,” *Public Welfare Progress*, Volume 4 no. 7, November 1923, 2.

⁹² Tennessee State Planning Commission, “A Study of State Institutions,” Volume 1, Tennessee Vocational School for Girls, January 1937, 1, TSLA, Nashville, TN.

proper places for girls.” After defying authorities time and again, Grace was arrested and institutionalized.⁹³

Sexual deviance stood as the number one charge against girls in the South’s juvenile courts. Prostitution in military bases not only threatened the ideals of southern white womanhood, it also compromised the health of the American military. While the state blamed women for the spread of STDs it is important to consider the ways in which men took advantage of women and girls, both incarcerated and free. For example, most of the girls housed in Virginia’s Bon Air School were incarcerated for sexual immorality. But an investigation into the institution uncovered a troubling reoccurrence. On several occasions school officials discovered the presence of “night prowlers,” or “base men” from nearby army camps sneaking into the facility to cohabit with the inmates and “take advantage” of the girls in the home. What the investigating board found most troubling about this situation was that none of these men were arrested for these offenses. The board demanded “we cannot permit, as a people, the scandal of committing girls to a reform school and of allowing men to interfere with them there.” Acknowledging that many of the inmates were arrested for crimes against sexual morality, the board stated, “Surely the State of Virginia, with all its wealth and its enlightened legislature cannot fail to make ample provisions for these unfortunate little daughters of Virginia.”⁹⁴ The board encouraged the legislature to make the

⁹³ National Florence Crittenton Mission, “Ivavota Farms: National Industrial & Agricultural Training School for Girls,” pamphlet. HQ316.I9 I9, Record Group 66101, VHS, Richmond, VA.

⁹⁴ “Report of the State Board of Charities and Corrections on the investigation of the Virginia Home and Industrial School for Girls,” 2, “Folder 3 - Virginia Home and Industrial School for Girls – 1910-1915,” Box 68, HCSP, LVA, Richmond, VA.

cohabitation with an inmate at any state institution “where feeble-minded women are confined” a felony, “regardless of the age or previous unchaste life” of the victim.⁹⁵

The concern over interaction between the inmates and male visitors to the campus was so great that Mattie M. Light, one of the first superintendents of Bon Air, enforced strict rules that were intended to protect the girls against their “own threat to themselves.” During Light’s tenure, the only men allowed on campus were board members, a doctor, or repairmen when necessary. If the girls were to find themselves in the presence of men they were required to turn their backs on them and not speak.⁹⁶ These policies point to the state’s skewed understanding of female sexuality as officials believed that girls and women were often too weak-willed to resist sexual temptation while in the company of men.⁹⁷

Reformers began challenging the regimentation that existed within juvenile reformatories and favored instead institutions that educated delinquents through academic and vocational training. Carrie Weaver Smith, penal reformer and self-proclaimed “expert” on child welfare, was outspoken as to the problems of the reformatory model of rehabilitation as well as the juvenile court. She argued that the juvenile court should be replaced with an “educational council” that included trained men and women who, “armed with such legal authority as to make possible the disposition of children’s cases.” In regards to institutions for juvenile offenders, Smith argued to “keep it small” so that officials could formulate a personalized program for each inmate. She also challenged the state’s tendency to force the

⁹⁵ Ibid., 9.

⁹⁶ Paul W. Keve, *The History of Corrections in Virginia* (Charlottesville: University Press of Virginia, 1986), 168.

⁹⁷ George B. Mangold, *Problems of Child Welfare* (New York: The MacMillan Company, 1926), 307.

inmates to labor rather than receive and education; “Insist that the child be give a full public school day, and protest persistently against being a party to permitting a so-called state supported institution to prop itself on the labor of the child as a crutch.”⁹⁸ This was the model Smith enforced while she was superintendent of the school for white girls in Texas.

In 1913, the Texas legislature approved the founding of a state training school for girls and appropriated \$25,000 for the construction of the new campus two miles east of Gainesville. The State Training School for Girls, later called the Gainesville State School for Girls, opened on September 6, 1916 with a total of eighteen inmates.⁹⁹ The population of the Gainesville School grew quickly, and by 1920 the institution averaged approximately seventy girls.¹⁰⁰ Gainesville was noted for its attractive “hilly campus covered with trees” and “cottage style” construction that gave the appearance of “a small college rather than a ‘reformatory.’”¹⁰¹ Smith, a graduate from the Pennsylvania Women’s Medical College in Philadelphia and self-proclaimed “expert on female delinquency” acted as the school’s first superintendent, serving from its opening until 1925.¹⁰²

⁹⁸ Carrie Weaver Smith, “The Elimination of the Reformatory,” in *Proceedings of the National Conference of Social Work* (Chicago: University of Chicago Press, 1921), 130-131.

⁹⁹ “Manual on Preparation of Children for Admission to the State Training Schools,” 1956, 13-14, “Folder – Agency Wide Manuals,” Box 1999/087-1, Policy and procedure handbooks and manuals, records, TYC, Archives and Information Services Division, TSLAC, Austin, TX.

¹⁰⁰ Bush, *Who Gets a Childhood?*, 22.

¹⁰¹ “Manual on Preparation of Children for Admission to the State Training Schools,” 1956, 14, “Folder – Agency Wide Manuals,” Box 1999/087-1, Policy and procedure handbooks and manuals, records, TYC, Archives and Information Services Division, TSLAC, Austin, TX.

¹⁰² Bush, *Who Gets a Childhood?*, 22-23.

Like most female reform schools in the country, Gainesville's goal was "to provide a home for delinquent and dependent girls where they [might] be trained in those useful arts and sciences to which women are adapted."¹⁰³ From its founding, Gainesville focused its curriculum on what society considered "women's work." Stressing the importance of femininity, the school's personnel took on the task of reforming "wayward" girls into future homemakers. Similarly, the curricula of Tennessee's School for Girls centered on vocational training in the "household arts," with the goal of rehabilitating "wayward" girls into future homemakers who could keep an "attractive" home and serve "attractive meals."¹⁰⁴

According to the National Florence Crittenton Mission (NFCM), an organization founded in 1883 for the purpose of reforming prostitutes and unwed mothers, delinquent girls were "the most expensive problems for the consideration of the taxpayer."¹⁰⁵ While many institutions for delinquent girls were opened and maintained by private organizations, community disapproval of private institutions, combined with the emergence of the "new woman" and the threat against traditional Victorian values forced southern lawmakers to adopt detention homes for girls as state institutions. With this change the state gained jurisdiction and further control over its young female citizenry in ways it never had before.

¹⁰³ Ibid., 22.

¹⁰⁴ Tennessee State Planning Commission, "A Study of State Institutions," Volume 1, Tennessee Vocational School for Girls, January 1937, 49, TSLA, Nashville, TN.

¹⁰⁵ National Florence Crittenton Mission, "Ivokota Farms: National Industrial & Agricultural Training School for Girls," pamphlet. HQ316.I9 I9, Record Group 66101, VHS, Richmond, VA. This organization, as the name suggests, was a national organization that opened facilities for girls and women throughout the United States. In this particular reference, the NFCM produced a report on Ivakota Farms, which was a home for delinquent girls in Virginia. For more on the NFCM see Katherine G. Aiken, *Harnessing the Power of Motherhood: The National Florence Crittenton Mission, 1883-1925* (Knoxville: University of Tennessee Press, 1998).

The discipline of young southern women no longer rested in the hands of family; the state became the parent.

Institutions for Black Girls

African American female youth were by far the most excluded demographic in southern reform institutions. While southern legislatures absorbed existing homes for white girls, they made no such provisions for the rehabilitation of delinquent black female youth. As a result, the majority of homes for black girls were opened and managed by African American civic organizations in the first half of the twentieth century. The indifference of the state towards its black female citizenry can be attributed to two main reasons. First, the “immorality” of black girls did not threaten southern womanhood or the white community in the same way similar behavior did among their white counterparts; in fact this behavior was almost expected from black girls.¹⁰⁶ White law enforcement and juvenile courts saw sexual immorality as innate among black females, therefore the state viewed reformation as pointless if not impossible. Second, black officials and community leaders, in the hopes of dispelling the hyper sexualized stereotypes surrounding African American womanhood, worked fervently to deal with delinquent girls in a private manner. The opening of private homes for black girls acted as a “kind of protective measure against the compromised sexual reputation” of black women.¹⁰⁷

¹⁰⁶ For more on white perceptions of black female sexuality see Danielle L. McGuire, *At the Dark End of the Street: Black Women, Rape, and Resistance- a New History of the Civil Rights Movement from Rosa Parks to the Rise of Black Power* (New York: Alfred A. Knopf, 2010).

¹⁰⁷ Susan K. Cahn, *Sexual Reckonings: Southern Girls in a Troubling Age* (Cambridge, Mass.: Harvard University Press, 2012), 85.

The establishment of juvenile facilities for black children was a cause most often taken up by local and national black clubwomen organizations throughout the United States.¹⁰⁸ The National Afro-American Council (AAC), founded in 1890, included prison reform on its long list of initiatives, which included but was not limited to anti-lynching campaigns, challenging the constitutionality of Jim Crow, and securing the rights promised by the thirteenth, fourteenth, and fifteenth amendments.¹⁰⁹ Similarly, the National Association of Colored Women took up the cause of juvenile justice reform, emphasizing “the need to rehabilitate rather than condemn young offenders to punitive prison systems.”¹¹⁰ While both black and white women’s clubs played integral roles in juvenile reform campaigns, white women often ignored or misunderstood the plight of African Americans while black clubwomen agreed and disagreed with various aspects of white reform initiatives.¹¹¹

¹⁰⁸ Dorothy E. Roberts, “Black Clubwomen and Child Welfare: Lessons for Modern Reform,” *Florida State University Law Review* 32, no. 3 (Spring 2005): 958 and Carmen V. Walker, “An Analysis of the National Association of Colored Women's Clubs” (PhD diss., Clark Atlanta University, 2008), 113-114.

¹⁰⁹ Susan D. Carle, *Defining the Struggle: National Organizing for Racial Justice, 1880-1915* (New York: Oxford University Press, 2013), 98.

¹¹⁰ Susan D. Carle, *Defining the Struggle: National Organizing for Racial Justice, 1880-1915* (New York: Oxford University Press, 2013), 171. For more on black women’s clubs see Floris Loretta Barnett Cash, *African American Women and Social Action: The Clubwomen and Volunteerism from Jim Crow to the New Deal, 1896-1936* (Westport, Conn.: Greenwood Press, 2001); Wanda A. Hendricks, *Gender, Race, and Politics in the Midwest: Black Club Women in Illinois* (Bloomington: Indiana University Press, 1998) and Anne Knupfer, *Toward a Tenderer Humanity and a Nobler Womanhood: African American Women's Clubs in Turn-Of-The-Century Chicago* (New York: New York University Press, 1996).

¹¹¹ Susan D. Carle, *Defining the Struggle: National Organizing for Racial Justice, 1880-1915* (New York: Oxford University Press, 2013), 171. Historians have recently begun to explicate how and why white and black women’s organizations did not coalesce into one unified group. These historians have uncovered that many of these women and organizations

In Alabama, the state made no provisions for the care of “wayward” African American girls, leaving a number of black adolescents incarcerated alongside adult prisoners in state jails and penitentiaries. When the Board of Lady Members set out to establish a home for young girls in the state, they intended for the institution to only house white girls. In 1907, the Alabama State Federation of Colored Women’s Clubs purchased twenty acres of land in Mt. Meigs for a reformatory for African American boys.¹¹² In 1911, the state of Alabama took over the school, naming it the Alabama Reform School for Juvenile Negro Law-Breakers. More than eight years later, the Federation purchased land next to the Reform School for Boys and built the Alabama Rescue Home for Girls. Unlike the boys school, the Rescue Home for Girls was maintained and supported through funds raised by the Federation from its opening in 1919 through 1931.¹¹³

In Texas, the integration, although limited, of the Gatesville School for boys stood out in a region that segregated the black and white races throughout its carceral institutions. But this deviation from the racial status quo did not apply to the institutionalization of African

were on separate yet parallel tracks in their various missions. For more see Winifred Breines, *The Trouble between Us: An Uneasy History of White and Black Women in the Feminist Movement* (New York: Oxford University Press, 2006) and Benita Roth, *Separate Roads to Feminism: Black, Chicana, and White Feminist Movements in America's Second Wave* (New York: Cambridge University Press, 2004).

¹¹² Deborah G. White, *Too Heavy a Load: Black Women in Defense of Themselves, 1894-1994* (New York: W.W. Norton, 1999), 32; Mary E. Odem, *Delinquent Daughters: Protecting and Policing Adolescent Female Sexuality in the United States, 1885-1920* (Chapel Hill: University of North Carolina Press, 1995), 119 and Cynthia Neverdon-Morton, *Afro-American Women of the South and the Advancement of the Race, 1895 -1935* (Knoxville: University of Tennessee, 1991), 138.

¹¹³ Charles H. Wesley, *The History of the National Association of Colored Women’s Clubs: A Legacy of Service* (Washington D.C.: The National Association of Colored Women’s Clubs, 1984).

American girls in the state. The push for an all-black female juvenile detention center in Texas began in 1916 by Carrie Weaver Smith. The State School for Negro Girls, later called the Brady School for Negro Girls and eventually the Crockett State School for Colored Girls, was established by the state legislature in 1927. However, it took the state nearly 20 years to approve the necessary appropriations for the institution and the school did not accept its first students until February 14, 1947.¹¹⁴

Before the establishment of Brady, several civil rights groups expressed concern over young black girls who were institutionalized in adult prisons. Black girls who committed violent crimes received sentences to adult correctional facilities where they were vulnerable to abuse from male inmates and authorities. The efforts to establish a juvenile facility for black girls gained momentum at the conclusion of World War II due to the “escalating pressure from black civil rights advocates.”¹¹⁵ After witnessing the courts sentence a number of African American girls to county jails, Texas chapters of the National Association for the Advancement of Colored People (NAACP) pressured the state legislature to open a facility for black girls.¹¹⁶ The military also pushed for the establishment of a juvenile facility for black girls in Texas. This was primarily because of the increased concern over black female prostitution during World War II and the spread of STDs in the military.¹¹⁷

¹¹⁴ “Manual on Preparation of Children for Admission to the State Training Schools,” 1956, 13, “Folder – Agency Wide Manuals,” Box 1999/087-1, Policy and procedure handbooks and manuals, records, TYC, Archives and Information Services Division, TSLAC, Austin, TX.

¹¹⁵ Bush, *Who Gets a Childhood?*, 71.

¹¹⁶ *Ibid.*, 73.

¹¹⁷ *Ibid.*, 71; The lack of funding for an all-black female juvenile delinquency center in Texas mimics the funding gap for other African American educational facilities. For more on this

The Texas legislature asked the State Board of Control to place Brady School “upon the cottage plan for the care, education and training of dependent and delinquent colored girls.”¹¹⁸ Although the Brady School was to be similar to the Gainesville School in location and curriculum, it was not. Unlike Gainesville’s “cottage” like campus, the Brady campus occupied a retired German prisoner of war camp. The Brady facilities proved to be inadequate so the school moved to a new campus near Crockett, Texas and was renamed Crockett School for Colored Girls in 1950.¹¹⁹

Much like Texas, North Carolina’s legislature did not provide a facility for African American girls until 1943. With the establishment of Stonewall and Samarcand, white juvenile offenders could be removed from adult carceral facilities. However, by 1918, there were still no institutions, public or private, for young African American offenders in North Carolina.¹²⁰ Samarcand only accepted white inmates while black female delinquents remained housed in local city jails or were released by the juvenile courts into the general

see Judith N. McArthur and Harold L. Smith, *Texas Through Women’s Eyes: The Twentieth Century Experience* (Austin: University of Texas Press, 2010).

¹¹⁸ Compiled Notebooks, Brady, 1947, Youth Commission facilities and programs history and information notebooks, records, Texas Youth Commission Archives and Information Services Division, TSLAC, Austin, TX.

¹¹⁹ Hereafter, Brady State School for Negro Girls will be the name used when referring to the facility for black female delinquents before 1950. For years following 1950, Crockett School for Colored Girls will be used.

¹²⁰ Between January 1, 1916 and April 1, 1918, 84 children under the age of eighteen were housed in the state penitentiary in Raleigh. Out of the seven girls in the penitentiary, one of them was white and the remaining six were African American ranging from ages thirteen to eighteen. There was a similar disproportion between white and black boys in the facility. Twenty four of the boys were white while 53 were African American. National Child Labor Committee, *Child Welfare in North Carolina* (New York: National Child Labor Committee, 1918), 10 & 76.

population. According to North Carolina's State Board of Charities and Public Welfare, "The problem presented to the community in the person of the delinquent Negro girl is perhaps the most difficult of solution. The prey of unprincipled men of both races, the Negro girl stands as a pathetic figure."¹²¹ The North Carolina Federation of Colored Women's Clubs worried about the vulnerability of African American girls in county jails and prisons so they purchased 300 acres of farmland in Efland in 1921, after ten years of activism, for the establishment of an institution for delinquent black girls.¹²² They invested approximately \$30,000 into the project, which resulted in "a modern frame building" that contained dormitory space for about twenty girls as well as living space for the matron, kitchen, sewing rooms, and bathing facilities. Out of a desperate need for funding, the Federation appealed to the legislature in 1925, proposing that the state take over the institution. However, the House Bill became lost in committee.¹²³ Despite countless petitions and several near closures due to

¹²¹ North Carolina State Board of Charities and Public Welfare, "North Carolina's Social Welfare Program for Negroes," Special Bulletin 8, Raleigh, N.C., 1926, 28, "Folder - Prison System - NC," Box - PC 255.28 Social Welfare, 1922-1938, NBLP, SANC, Raleigh, NC.

¹²² Ibid.; Susan K. Cahn, *Sexual Reckonings: Southern Girls in a Troubling Age* (Cambridge, Mass.: Harvard University Press, 2012), 68-69.

¹²³ In 1925, North Carolina House Bill 123 was presented by Representative Julia M. Alexander from Mecklenberg County and was an "Act providing for a State Institution for Delinquent Colored Girls at Efland." The bill was approved by the Committee on Public Welfare but was not approved by the Committee on Appropriations. This bill resurfaced in 1931 (H.B. 460) and was denied again by the Committee on Appropriations. North Carolina General Assembly, House of Representatives, *Journal*, Session 1925, 39 & 590 and North Carolina General Assembly, House of Representatives, *Journal*, Session 193, 168 & 379.

lack of funds, it was not until after World War II that North Carolina's legislature adopted the school at Efland as the State Training School for Negro Girls.¹²⁴

Virginia also had no provisions for delinquent black girls in the state. African American girls represented the last youth demographic in Virginia without a proper institution for the care of those convicted for delinquent behavior. The result was the incarceration of black girls under the age of seventeen to county jails.¹²⁵ In 1908 the Virginia Federation of Colored Women's Clubs appointed Janie Porter Barrett, an African American reformer raised in a white woman's home in Macon, Georgia, as president of their chapter. Barrett focused all of her energy to the wellbeing of African American youth in her community. After hearing of an eight-year-old girl committed to an adult jail facility, Barrett rescued the child and had her placed in an orphanage. When she took the job as president of the federation, the club's number one goal was to raise the funds necessary to open an institution for African American delinquent girls in the Commonwealth. Over the course of three years, the federation raised \$5,300 and bought 140 acres of farmland at Peaks Turnout, Virginia, 18 miles northeast of Richmond.¹²⁶ Peaks, as the school was commonly called,

¹²⁴ North Carolina State Board of Charities and Public Welfare, "North Carolina's Social Welfare Program for Negroes," Special Bulletin 8, Raleigh, N.C., 1926, 28, "Folder - Prison System - NC," Box - PC 255.28 Social Welfare, 1922-1938, NBLP, SANC, Raleigh, NC.

¹²⁵ Because there were relatively few women, both white and black, housed in state penitentiaries and county jails compared to men, they receive cursory attention in the archival record. Through various letters, it is clear that women often occupied a separate wing or annex in state penitentiaries. In Angola Prison in Louisiana, for example, women were held in "Camp D," which was a wing of the prison. However, county jails were too small to provide separate wings for women. Instead female inmates were contained to one cell in the jail.

¹²⁶ Sadie Iola Daniel, *Women Builders* (Washington, DC: Associated Publishers, 1931), 54 & 58.

opened in 1915 thanks to the donations of members in the community, the Russell Sage Foundation, and some appropriations from the state.¹²⁷

The school was officially known as the Industrial Home School for Wayward Colored Girls, and much like the citizens of Bon Air, members of the predominately white Peaks community loudly objected to the institution's presence.¹²⁸ After receiving protests from the white citizens of Peaks, the state began inquiring after the school's closure. The federation and other members of the black community worried about the fate of the institution and urged Barrett to take over as the school's superintendent, a position she never intended to have but knew she needed to accept in order to preserve the home. The legislature cut off the meager appropriations given to the institution in the previous year amidst the protest, and when one of the trustees asked Barrett what they should do, she stated "Beg them to give us one chance – to try us. If the school proves objectionable, I promise to move it."¹²⁹

When Barrett arrived at the school she had a list of problems to contend with. She needed to quell the discontent of inmates, build a team of reliable assistants, and seek out

¹²⁷ The Russell Sage Foundation (RSF) is a philanthropic organization dedicated to funding research in the social sciences. Founded in 1907, the RSF generally funded projects with a specific scope, but was also agreeable to providing initial funding for newly-established charitable organizations. A sampling of such beneficiaries includes Family Service Association of America, American Association of Social Workers, the Child Welfare League of America, and the Girls' Service League of America. "The 'Good Works' of the Russell Sage Foundation," *Social Science Review* 22, no. 1 (March 1948): 91. For more on the Russell Sage Foundation see John M. Glenn, Lillian Brandt, and F. Emerson Andrews, *Russell Sage Foundation, 1907-1946* (New York: Russell Sage Foundation, 1947).

¹²⁸ The Industrial Home School for Wayward Colored Girls was located in Hanover County, Virginia. In 1920, Hanover County had a population of 18,088, with whites accounting for 59.47% and African Americans 39.71% of the population. The remaining 0.81% were foreign born or naturalized citizens. U.S. Census Bureau, County-Level Results for 1920.

¹²⁹ Sadie Iola Daniel, *Women Builders* (Washington, DC: Associated Publishers, 1931), 59.

additional funding for the school. Her biggest obstacle, however, was an interracial one; Barrett, feeling “responsible for the most neglected of one’s own race,” had to convince the white citizens of Peaks that the institution was a benefit rather than a blemish in the community. Barrett planned to overcome the growing discontent of the white community by reforming the inmates’ behavior and by requiring the inmates to provide laundry services to the neighbors of the school. Barrett’s experience growing up as a black child in a white woman’s home influenced the way she sought to reform black delinquent girls. When she saw the uproar of Peaks’s white community over the presence of the school, she knew the best way to quell their objection was by having the girls conform to the racial status quo of the time. By her seventh year as superintendent, it appeared that Barrett’s efforts had succeeded. Not only had the protesting ceased, but citizens of Peaks began donating flowers and shrubbery to the home.¹³⁰ By providing services to the white community, the black inmates at Peaks fit well within a tradition of African American servitude. Whites, therefore, no longer felt threatened by the inmates, and indeed, embraced the school.¹³¹

State officials also recognized the work Barrett was doing with the school. Judge James Ricks of the Juvenile Court in Richmond noted in 1925 that just twelve years earlier, “there was no place but the jails for colored girls.” He continued, “Mrs. Barrett and her workers are doing such wonderful work . . . transforming the lives of these girls . . . sending them back into their communities as useful citizens.”¹³² The news of Barrett’s success traveled across the region and the Virginia Industrial School for Colored Girls became

¹³⁰ Daniel, *Women Builders*, 65.

¹³¹ *Ibid.*, 53.

¹³² *Ibid.*

known as a “prototype for the whole country.” As a result, superintendents from similar correctional facilities in the South visited the institution just to see how Barrett ran her staff and inmates.¹³³ In 1920, the property was deeded to the state of Virginia, but its purpose to house delinquent African American girls stayed the same.¹³⁴

When southern states did take over institutions for delinquent black girls, the schools received meager appropriations compared to reformatories for white children. The Tennessee Vocational School for Colored Girls opened in northern Nashville in 1923 and confined black female delinquents under the age of eighteen, but girls could remain committed to the institution until the age of twenty-one.¹³⁵ The school operated on a significantly smaller budget and functioned in poorer facilities than the state’s other juvenile institutions.¹³⁶ In 1931, for example, the school for white girls operated on a budget of \$91,200 to house its 125 inmates (\$234 per inmate per annum) while the institution for black girls received \$30,400 from the state for its fifty inmates (\$200 per inmate per annum).¹³⁷ Despite funding discrepancies, black girls remained institutionalized for longer periods of

¹³³ “The Legacy of Barrett Learning Center,” May 28th 1992, LVA, Richmond, VA.

¹³⁴ “Dedication and Naming of Federation Field,” program, October 13, 1981, LVA, Richmond, VA.

¹³⁵ Tennessee State Planning Commission, “A Study of State Institutions,” Volume III, Tennessee Vocational School for Colored Girls, January 1937, 1, TSLA, Nashville, TN.

¹³⁶ *Ibid.*, 7.

¹³⁷ Tennessee State Planning Commission, “A Study of State Institutions,” Volume III, Tennessee Vocational School for Colored Girls, January 1937, 4, TSLA, Nashville, TN; Tennessee State Planning Commission, “A Study of State Institutions,” Volume I, Tennessee Vocational School for Girls, January 1937, 12, TSLA, Nashville, TN; Tennessee State Planning Commission, “A Study of State Institutions,” Volume I, State Training and Agricultural School for Colored Boys, January 1937, 8, TSLA, Nashville, TN.

time than juveniles in Tennessee's white facilities; 45 percent of African American girls served terms for over two years compared to the 12 percent of white girls at the training school in Tullahoma. Similar to white and black female juvenile institutions in other southern states, the facilities and programs of the Tennessee School for Colored Girls differed significantly from those at the school for white girls. Various state reports noted how the training school for African American girls acted more as a custodial or penal facility rather than a correctional institution.¹³⁸

According to Cahn, "the history of black female reformatories in the South is ultimately one of refusal and dereliction." In the minds of white southerners, there were few similarities between the delinquencies of white and black girls. The southern state viewed sexual immorality among white girls as a deviation from traditional white womanhood. By institutionalizing white girls who participated in such acts, the state believed it was protecting vestiges of Victorian chastity. On the other hand, whites interpreted "immorality" among black women as a biological given, a condition, they held, that was neither "unusual [n]or remediable." When southern states did absorb or open institutions for black girls, it occurred almost as an afterthought leaving the schools largely underfunded and inadequate.¹³⁹

Women's Reformatories

The opening of women's reformatories in the South encountered similar delays to the juvenile facilities for white and African American girls. Prior to the late nineteenth century, the state used a custodial model of incarceration by confining convicted women in separate

¹³⁸ Tennessee State Planning Commission, "A Study of State Institutions," Volume III, Tennessee Vocational School for Colored Girls, January 1937, TSLA, Nashville, TN.

¹³⁹ Cahn, *Sexual Reckonings*, 92.

annexes of their state's penitentiary. During this time, there were few if any provisions for female prisoners and they were treated much like male convicts. As progressivism gained momentum, states began implementing a reformatory model of carceral care for women prisoners. This new model was built on the same foundation as juvenile reformatories and inspired the opening of women's institutions that intended to address the needs of women and encouraged rehabilitation through domestic and feminine training.¹⁴⁰

The delay in opening separate carceral and reform institutions for women was due in large part to the small percentage of adult female offenders in the region. For example, in 1926, southern prisons received 607 women compared to 14,547 men.¹⁴¹ Officials also

¹⁴⁰ The first women's reformatory opened in Indiana in 1873 after a local Quaker couple led a movement for its establishment. Their campaign was in response to the coerced prostitution of female inmates in the state penitentiary. Nicole Hahn Rafter, "Prisons for Women, 1790-1980," *Crime and Justice* 5 (1983): 132 & 151. The historiography of women's prisons is relatively sparse and those that exist focus on northern reformatories. For more see Joanne Belknap, "'Offending Women': A Double Entendre," *The Journal of Criminal Law & Criminology* 100, no. 3 (2010); L. Mara Dodge, "'One Female Prisoner is of More Trouble than Twenty Males': Women Convicts in Illinois Prisons, 1835-1896," *Journal of Social History* 32, no. 4 (Summer 1999); Estelle B. Freedman, *Their Sisters' Keepers: Women's Prison Reform in America, 1830-1930* (Ann Arbor: University of Michigan Press, 1981). Most scholarly works on women's prisons are sociological studies that offer very little historical background on the opening of female reformatories. For sociological studies on women's prisons see Catherine Fisher Collins, *The Imprisonment of African American Women: Causes, Conditions, and Future Implications* (Jefferson, N.C.: McFarland, 2004); Jill A. McCorkel, *Breaking Women: Gender, Race, and the New Politics of Imprisonment* (New York: New York University Press, 2013); Joycelyn M. Pollock, *Women, Prison, and Crime*, 2nd ed. (Belmont, CA: Wadsworth Thomson Learning, 2002); Beth Richie, *Arrested Justice: Black Women, Violence, and America's Prison Nation* (New York: New York University Press, 2012); Silja J. A. Talvi, *Women behind Bars: The Crisis of Women in the U.S. Prison System* (Emeryville, CA: Seal Press, 2007) and Kathryn Watterson, *Women in Prison: Inside the Concrete Womb*, rev. ed. (Boston: Northeastern University Press, 1996).

¹⁴¹ These numbers include both white and black inmates in the "South Atlantic," "East South Central," and "West South Central" regions and include Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Kentucky, Tennessee, Mississippi, Arkansas, Louisiana, Oklahoma, and Texas. Those states not reporting include Delaware, District of Columbia, Florida, and Alabama. U.S. Census Bureau, "Prisoners in State and Federal

believed that convicted women were incapable of being reformed so the state believed any expenditure on separate facilities and programs for females would be a waste of time and resources.¹⁴² However, some officials saw the presence of females in jails as more of a financial blunder than spending the money to open separate institutions. Annie Kizer Bost, commissioner of the North Carolina Board of Charities and Public Welfare, believed that her state was in desperate need of a facility for women who should not be received at Samarcand, namely “the professional prostitute who there is no hope in reforming but who should not be allowed to languish in jail at a dead expense to the state.”¹⁴³ Despite these concerns, reformatories for women were slow to open throughout the South. As a consequence, white and African American female “criminals” were often incarcerated in state penitentiaries where abuse at the hands of male wardens and prisoners was commonplace.

Much like juvenile delinquency underwent new definitions and understandings, the image of adult female criminality significantly changed at the turn of the twentieth century. In the late nineteenth century, lawmakers often labeled female convicts as “evil,” but closer to the Progressive Era, women “criminals” were often described as “misguided.”¹⁴⁴ Black women, on the other hand, “contended with the chronic stigma of criminality and

Prisons and Reformatories: 1926.” Prisoners Received During 1926 Principal Classes Table 3, 6.

¹⁴² For more on the traditional perceptions of female criminals see L. Mara Dodge, “One Female Prisoner is of More Trouble than Twenty Males’: Women Convicts in Illinois Prisons, 1835-1896,” *Journal of Social History* 32, no. 4 (Summer 1999).

¹⁴³ Annie Kizer Bost to J. L. Rodwell, 2 September 1921, “Folder – Quarters, 1918-1933,” Box 5 Juvenile Delinquency Correspondence, Institutions and Corrections Division, MARS No. 97.25, State Board of Public Welfare (SBPW), SANC, Raleigh, NC.

¹⁴⁴ Joycelyn M Pollock, “History of Women’s Prisons: The Legacy of Difference,” in *Women, Prison, & Crime*, 2nd ed. (Belmont, CA: Wadsworth Thomson Learning, 2002), 24.

lawlessness.”¹⁴⁵ This distinction between white and black female criminality led to a significant consequences in southern institution building. Officials and reformers believed that convicted white women, although “misguided,” still possessed some level of femininity that deserved protection from the harsh conditions within state penitentiaries, therefore it was important, they argued, to establish separate institutions for white female prisoners.¹⁴⁶ However, the racist suppositions of black womanhood prevented these same reformers from opening similar institutions for convicted African American women. Consequently, black women toiled under harsh labor systems within jails and penitentiaries. Some women’s prisons did house both white and black inmates, but in most cases the facilities remained segregated.¹⁴⁷

White progressive female reformers not only fought for living conditions of these women prisoners to change, but they also insisted that female inmates needed wardens of the

¹⁴⁵ Kali N. Gross, *Colored Amazons: Crime, Violence, and Black Women in the City of Brotherly Love, 1880-1910* (Durham, N.C.: Duke University Press, 2006), 36.

¹⁴⁶ Pollock, “History of Women’s Prisons,” 24. Most of the studies on women’s prisons are sociological rather than historical. Further, the small existing historiography of women’s prisons explores institutions in the Northeast. In her article, “‘One Female Prisoner is of More Trouble than Twenty Males’: Women Convicts in Illinois Prisons, 1835-1896,” *Journal of Social History* 32, no. 4 (Summer 1999), L Mara Dodge examines female prisoners held in Illinois’s state penitentiary in the 19th century. She contends that the state lacked the necessary tools and programs that could address the specific needs of female prisoners. The state’s neglect of female prisoners occurred for a few important reasons. First, the small number of women convicts made the cost per capita of inmates too expensive. Second, officials believed female criminals were beyond reformation so they did not see a point in investing in institutions and rehabilitation programs.

¹⁴⁷ Catherine Fisher Collins, *The Imprisonment of African American Women: Causes, Experiences, and Effects* (Jefferson, N.C.: McFarland & Co., Publishers, 1997), 10-11. One southern prison that held white and black female inmates was the State Industrial Farm for Women in Virginia (SIFW), which will be discussed in greater length later in this chapter. The SIFW is also the focus of chapter four.

same sex to guide their “recovery.” These wardens ensured that the female inmates avoided sexual abuse by male authorities, set examples of “true womanhood,” and provided a mother-like figure that would be sympathetic to the troubles and cries of the institutionalized.¹⁴⁸ The goals of the female wardens would be to reform “deviant” women into good wives and mothers.

Efforts to open carceral institutions for “deviant” women in the United States began in the late nineteenth and early twentieth century by progressive women in the Northeast. One of these pioneers, Mary B. Harris, became superintendent of a notorious workhouse for women in New York in 1914. In an effort to change what she described as a “depressingly grim place,” Harris replaced the inmates’ hours of hard labor with card games, knitting, and general exercise.¹⁴⁹ This progressive revolution in prison reform disturbed lawmakers and in 1917 Harris was forced to resign. Harris continued her work in New Jersey in 1918 where she introduced self-government in the local reformatory for women, “a policy which became her trademark.” After opening and working in various female detention homes throughout the South, Harris became superintendent at the Federal Industrial Institution for Women in Alderson, West Virginia, the first federal facility for women in the country. The prison officially opened on November 24, 1928. In addition to self-governing, Harris introduced a classification system that sought to identify the talents of individual prisoners as a way to maximize their personal reform.¹⁵⁰ Self-government and classification went on to influence

¹⁴⁸ Pollock, “History of Women's Prisons: The Legacy of Difference,” 24.

¹⁴⁹ Edward T. James, Janet Wilson James, and Paul S. Boyer, *Notable American Women, 1607-1950: A Biographical Dictionary* (Cambridge, Mass.: Belknap Press of Harvard University Press, 1971), 316.

¹⁵⁰ Edward T. James, Janet Wilson James, and Paul S. Boyer, *Notable American Women,*

the efforts of women who worked under Harris's tutelage and as a consequence, reformers pushed for the opening of more prison facilities for women and in the process shaped carceral policy throughout the South.

In the early 1920s, North Carolina's Board of Charities and Public Welfare stressed the need for an all-female prison facility in the state. They argued that in 1924, North Carolina courts committed 666 women to jails throughout the state where they sat in "idleness," lacking the medical treatment and training necessary to reenter society as productive citizens.¹⁵¹ Samarcand Manor, the state's juvenile facility for girls, originally housed convicted women and girls, but this concerned school officials and board members who worried about the negative influence "deviant" women had on the youth in the facility. Often, the state encouraged or forced female "criminals" to leave town. The board found this problematic as it was "like dumping your garbage in your neighbor's back yard."¹⁵² The board noted the lack of a women's reformatory placed a strain on state resources, as the state legislature was largely motivated by economic concerns, rather than the ill treatment of incarcerated women; "we cannot afford, from an economic and social standpoint to avoid the question any longer."¹⁵³

The board argued that when it came to the lives of incarcerated women, the state had a responsibility to open a facility for the purpose of reforming this "criminal" class. As

1607-1950: A Biographical Dictionary (Cambridge, Mass.: Belknap Press of Harvard University Press, 1971), 316.

¹⁵¹ North Carolina State Board of Charities and Public Welfare, "A Real Need," *Public Welfare Progress*, Volume 4 no. 7, November 1923, 2.

¹⁵² *Ibid.*, 3.

¹⁵³ *Ibid.*, 2.

evidence of the state's inadequate methods of handling female convicts the board pointed to the life of Rose Keller, an orphan who "had violated that double standard which damns the woman and leaves the man free."¹⁵⁴ North Carolina courts sentenced Rose to serve time in county jails, but when she was released she resumed her previous life. After she was "betrayed under the promise of marriage," Rose went out to the woods and killed herself. According to the board, Rose's case points out how "jail failed as a reformer." With this appeal, the board pressured North Carolina's legislature to act. There were, after all, "other Roses in this world."¹⁵⁵

Nell Battle Lewis, a respected journalist and progressive reformer from North Carolina, also stressed the need for a female prison in the state. She noted how often, female criminals were "sources of contamination" who the state shuffled from town to town. North Carolina, according to Lewis, failed in providing "adequate provisions" for this criminal class. The establishment of a women's prison in the state, Lewis contended, was "simply a matter of common sense."¹⁵⁶ Finally, in 1927, North Carolina's legislature made an appropriation of \$60,000 for the Farm Colony for Women near Kinston and in 1929 the facility received its first prisoners. According to the 1934 biennial report on the Farm Colony, the average amount spent per inmate per annum between 1932 and 1934 was \$266.

¹⁵⁴ North Carolina State Board of Charities and Public Welfare, "One of Our Mistakes," *Public Welfare Progress*, Volume 4 no. 7, November 1923, 2.

¹⁵⁵ Ibid.

¹⁵⁶ Nell Battle Lewis, "Talk at the Jewish Synagogue Raleigh," speech, 1927, "Folder – Speeches - Transcripts," Box - PC 255.44, NBLP, SANC, Raleigh, NC.

These funds allowed for the inmates to receive medical treatment as well as training in industrial tasks that could serve them upon release.¹⁵⁷

The efforts of the North Carolina Board of Charities and Public Welfare represents similar efforts made in large part by female reformers throughout the South in the first three decades of the twentieth century. The late 1920s marked a time where “a groundswell of interest in the rehabilitation of female offenders could be felt in the nation.” Prior to the early 1930s, incarcerated women in Virginia “languished” in the state’s old penitentiary “largely forgotten” by society and lawmakers. In 1927, the Prison Board of Virginia urged the passage of a bill that would allow for the appropriations necessary to establish a carceral institution for women in the state. Shortly thereafter, in 1932, the State Industrial Farm for Women (SIFW) began receiving inmates. By 1939, with the efforts and enthusiasm of Dr. Elizabeth Mounce Kates, the first superintendent of the SIFW and former employee of Mary Harris, three new buildings were added to the campus. With that, the institution met its first major goal in removing all female felons from Virginia’s state penitentiary.¹⁵⁸ The SIFW seemed to be largely unaffected by the Great Depression and during World War II, inmates at the farm banded together with the rest of the nation by participating in the war effort.¹⁵⁹

¹⁵⁷ The majority of the women sentenced to Kinston required treatment for sexually transmitted diseases. For example, between 1932 and 1934, out of the 174 women received at the prison, thirty-nine percent were infected syphilis and sixty-two percent with gonorrhea. “Biennial Report of the Industrial Farm Colony for Women, Kinston, N.C.,” 30 June 1934, “Folder - NC Industrial Farm Colony for Women, Kinston,” Box – PC 1488.74 Miscellaneous Organizations, Gertrude Weil Papers (GWP), SANC, Raleigh, NC.

¹⁵⁸ Alice Cudlipp, “History of VCCW,” 1, Accession 36400, State Government Records Collection (SGRC), LVA, Richmond, VA.

¹⁵⁹ *Ibid.*, 7.

Unlike lawmakers in Virginia and North Carolina, other southern legislatures resisted opening women's prisons. In Louisiana, whose average population of female offenders remained below one hundred, state officials saw the opening of a facility as an economic misstep.¹⁶⁰ Instead of establishing a separate institution, Louisiana courts convicted women to serve time in a small wing of the state's infamous Angola Prison, also known as America's bloodiest penitentiary. John L. Madden, Assistant Attorney General of Louisiana, argued, "In Louisiana, our Southern chivalry has not extended to the women unfortunates in our penitentiary by having a separate institution."¹⁶¹

In order to address the problems surrounding the housing of women prisoners in their states, officials from Tennessee, Oklahoma, Missouri, and Louisiana drew up the South Central Interstate Corrections Compact in 1950, which called for inmate sharing between participating states. The compact contended:

The party states find that special problems involved in the incarceration of women prisoners make it impracticable for each state to provide facilities and programs sufficiently high quality for the confinement, treatment, and rehabilitation of women prisoners in accordance with recognized penological standards.¹⁶²

Texas and Alabama were the only two states in the south central region that had operating women's prisons and the members of the compact sought to use these existing facilities to

¹⁶⁰ The Council of State Governments, "Statement Adopted by South Central States Conference on Incarceration of Adult Women Prisoners," New Orleans, LA, 22-23 October 1954, "Incarceration of Adult Women Prisoners Studies 1955," RCP, LSA, Baton Rouge, LA.

¹⁶¹ Ed Clinton, "Angola – The Story of Louisiana State Penitentiary," *American Journal of Correction* 22, no. 6 (November/December 1960): 4.

¹⁶² Law Enforcement Emergency Management And Military Affairs, Ark. Code Ann. §§ 12-49-201.

house their states' female convicts.¹⁶³ Texas resisted this plan while Alabama remained open to receiving inmates from other states.¹⁶⁴ The Tennessee General Assembly enacted the compact on March 8, 1955. This agreement allowed for the displacement of convicted women from their home state and delayed the opening of individual state institutions for women. Louisiana, for example, did not maintain its own facility until the Correctional Institute for Women opened in 1961.

Although the emergence of the “new woman” threatened southern ideals of white womanhood, lawmakers were slow to establish separate prison facilities for women. As a result, courts sentenced white and black women to serve time in state penitentiaries alongside male convicts and guards. Progressives had a more difficult time influencing southern legislatures to reform this policy than they did with the establishment of juvenile institutions. In the eyes of officials, young girls were more capable of being reformed than women convicts. This attitude allowed abuse, both sexual and physical, to occur in state penitentiaries throughout the region.

Conclusion

Beginning in the late nineteenth century, southern progressives participated in campaigns that resulted in a time of carceral institution building in the region. Their mission, reformers argued, was to have the state open facilities that could provide a “safe” place for convicted women and children to serve out their sentences while also “protecting” society

¹⁶³ The “host” state would merely house the prisoner. The home state of each prisoner would still be responsible for the punishment of their incarcerated female citizen.

¹⁶⁴ Ed Clinton, “Angola – The Story of Louisiana State Penitentiary,” *American Journal of Correction* 22, no. 6 (November/December 1960).

from this delinquent class. However, the efficacy of progressive penal reform was limited by its own gender and racial prejudices. Institutions for white juveniles often received more funding and better facilities than similar homes for black inmates. Further, the progressive penal reform that surged in the early twentieth century upheld constructs of both gender and race. Reform homes for white girls focused their curricula on activities that society deemed appropriate for women while detention homes for African Americans employed a contractual labor system, eerily reminiscent of nineteenth century African American servitude. In many ways, the progressivism southern officials resisted assisted the region in maintaining gender and racial status quos. The establishment of these institutions was meant to provide a safe place for delinquent women and children to learn the skills necessary to reenter society as useful citizens. What resulted, however, was the beginning of a long history of state-sanctioned control over women and young citizens of the state.

Chapter Two

Curing Crime: Medicine, Mental Health, and Eugenics in Southern Carceral Policy

In November 1926, the front page of *Public Welfare Progress*—a monthly publication issued by the North Carolina Board of Charities and Public Welfare—featured the stories of 21 women who epitomized, in the opinion of the journal, the state’s need for an all-female prison. All but one of these women found themselves incarcerated in North Carolina institutions because of acts of prostitution and other sexual misconduct, as defined by the standards of the time. According to the state, while these women had diverse backgrounds they all had one thing in common; they willingly chose to leave home and hearth to become prostitutes. What was worse in the eyes of the board, many of the women contracted sexually transmitted diseases (STDs), which placed an added burden on the state’s taxpayers given the cost of treatment for diseases like syphilis and gonorrhea. According to the board, “their cost to the State is manifold—socially and economically.”¹ Lawmakers also believed, as I shall argue, that sexually deviant women willingly abandoned idyllic southern womanhood, which gave enough evidence to authorities that these women suffered from a mental or physical illness.

Progressive reformers who pushed for the establishment of carceral institutions for women and children in the South began turning to new theories in medical science to uncover the root of delinquency, and as a result, the medical interpretation of crime grew in popularity in the region during the 1920s. Within the institutions themselves, authorities

¹ North Carolina State Board of Charities and Public Welfare, *Public Welfare Progress*, “Farm Colony for Women Offenders Needed Acutely for Economic and Social Reasons,” newsletter, Volume 7 No. 11, Raleigh, N.C., November 1926, “Folder - Psychiatry and Crime,” Box - PC 255.28 Social Welfare, 1922-1938, NBLP, SANC, Raleigh, NC.

employed theories of mental hygiene and classification that sought to get to know inmates individually, tracing their family history so as to explain delinquent behavior.² Changes occurred within the medical profession as well, as psychiatrists encouraged students of medicine to study mental illness and its effect on physical ailment and criminal behavior.³ That crime could be the result of bad genes fueled the popularity of eugenics and sterilization in the region during the 1920s and 1930s. Lawmakers and medical professionals believed that by segregating and sterilizing the “criminal” population the state would be able to not only reform the criminal, but most importantly, protect society.⁴

This chapter has two main arguments. First, the medicalization of crime in the 1920s began to change the way southern lawmakers understood carceral institutions and policy. In other words, as medical professionals began hypothesizing a direct correlation between crime, mental illness, and medicine, southern state officials no longer saw a distinction between criminals and the mentally ill. This understanding inspired a mental hygiene campaign that sought to eradicate delinquency in the region. Second, through eugenics and sterilization, the medical profession became another arm of the state that sought to control

² Virginia Department of Corrections, “A Suggested Classification Program for the Department of Corrections,” pamphlet, Richmond, VA, 1942, Correctional Center for Women at Goochland Boxes 1 & 2, Record Group 42, DOC, LVA, Richmond, VA. Tracing family history in order to explain criminal behavior is a eugenic method. For more on this see Daniel J. Kevles, *In the Name of Eugenics: Genetics and the Uses of Human Heredity* (Cambridge, Mass.: Harvard University Press, 1995), 71.

³ James K. Hall, M.D., “The Community’s Responsibility for the Mentally Sick,” pamphlet, Richmond, VA, 1936, “Folder - Psychiatry and Crime,” Box - PC 255.28 Social Welfare, 1922-1938, NBLP, SANC, Raleigh NC. For more on the relationship between psychiatry and medicine see Gerald N. Grob, “The Transformation of Psychiatry,” in *Mental Illness and American Society, 1875-1940* (Princeton, N.J.: Princeton University Press, 1983), 46-71.

⁴ Paul A. Lombardo, *Three Generations, No Imbeciles: Eugenics, the Supreme Court, and Buck V. Bell* (Baltimore: Johns Hopkins University Press, 2008), 28.

citizenry, and more specifically, the sexuality of “wayward” southern women. Southern lawmakers believed women to be the root of the state’s crime problem since their “sexual misconduct” could result in the spread of sexually transmitted diseases or produce offspring that depended on welfare from the state. According to these officials and a number of southern medical professionals, the best way to eradicate crime was to prevent women who did not fit the romanticized notions of southern white womanhood from procreating. Southern ideals coupled with developments in medical science and influence gave way to approximately two decades of questionable uses of state power and threats to individual liberty.

This chapter is divided into three sections. The first section discusses how medical professionals and southern lawmakers began comprehending crime in medical terms. The connection between medicine and crime lay in the burgeoning field of psychology and social welfare. These correlations resulted in the supposed synonymous relationship between delinquency and mental illness. All of the inmates in southern institutions were considered mentally ill or “feeble-minded.” The second section evaluates the rise of the mental hygiene movement in the South and the state’s use of classification or scientific training to reform criminals. Southern progressives launched campaigns to prevent mental and physical illness, and therefore criminal tendencies among its citizenry. In doing so, they drew on the latest medical and legal findings about the root of crime. Reformers used campaigns that focused on the spreading and embrace of morality; the state was most concerned about the virtue of its women as they were the mothers of the future generation. Finally, this chapter will end with a discussion of eugenics and sterilization in the South. Overall, this chapter seeks to show how the lines between medicine and the state became blurred when it came to carceral

policy in the South. The result was a new method of control over citizenry, and more specifically, female citizens in the region.

The Medicalization of Crime

In order to understand how crime came to be medicalized, it is important to trace the fall and rise of the American medical profession. At the turn of the twentieth century, the medical profession underwent what may be viewed as a “dark age” for three main reasons. First, the abundance of unregulated medical schools in the country left the profession oversaturated with self-proclaimed healers whose lack of education and experience often caused more harm than good. Second, with so many practitioners, competing sects undermined the credibility of medicine generally, and orthodox medicine specifically, among the public, who believed doctors to be no more than groups of bickering men. Finally, the medical community lacked a legislative foothold that could correct these problems.⁵

The beginning of the Progressive Era marked a revived effort on the part of the American Medical Association (AMA) to bring respect and prosperity back to the field.⁶ Before the AMA gained the legislative foothold necessary to correct these problems on a legal level, it relied on self-regulation to improve the state of the profession. In a movement started by the Association of American Medical Colleges (AAMC), some medical schools began voluntarily instituting higher standards of admission and education in order to receive

⁵ Ronald L. Numbers, “The Fall and Rise of the American Medical Profession,” in *Sickness and Health in America: Readings in the History of Medicine and Public Health*, by Judith Walzer Leavitt and Ronald L. Numbers, 3rd ed. (Madison: University of Wisconsin Press, 1997), 225- 226.

⁶ James Gordon Burrow, *Organized Medicine in the Progressive Era: The Move toward Monopoly* (Baltimore: Johns Hopkins University Press, 1977), 14.

a medical degree.⁷ Initially these schools worried that by setting higher admissions standards, their institution would deter students from applying, and therefore, send the school into bankruptcy. However, this was not the case as medical schools throughout the country upped their standards because of their fear of gaining a bad reputation.⁸ For its part, the AMA first established a code of ethics for practitioners to follow while treating patients. Next, they required stricter guidelines for the admission to medical school. While this reform was not as successful in the beginning, it did lead to higher admission standards in some institutions throughout the country.⁹ State based reform further solidified the professionalization of the medical profession; every state passed some kind of licensing law between 1870 and 1900, and these laws were toughened over time, eventually requiring not just a medical degree, but also examination, and then a year of hospital internship before licensure (a requirement that began to be added in the 1910s).¹⁰ The Progressive Era, therefore, marks a time when medicine secured power at the state level, gaining an authority they did not have before. This

⁷ The two men who really began this initiative, according to historian Paul Starr, were Charles Eliot, president of Harvard University, and Daniel Coit Gilman, president of Johns Hopkins University. Johns Hopkins Medical School was opened in 1893 and initiated the highest level of admission requirements that had yet to be seen among medical schools. Johns Hopkins required incoming students to possess a college degree. They also placed scientific research and clinical instruction at the center of their four-year program. Paul Starr, *The Social Transformation of American Medicine* (New York: Basic Books, 1982), 115.

⁸ Paul Starr, *The Social Transformation of American Medicine* (New York: Basic Books, 1982), 115.

⁹ For more see Burrow, *Organized Medicine in the Progressive Era*, 59; Ronald L. Numbers, "The Fall and Rise of the American Medical Profession," in *Sickness and Health in America: Readings in the History of Medicine and Public Health*, by Judith Walzer Leavitt and Ronald L. Numbers, 3rd ed. (Madison: University of Wisconsin Press, 1997); Paul Starr, *The Social Transformation of American Medicine* (New York: Basic Books, 1982).

¹⁰ Numbers, "The Fall and Rise of the American Medical Profession," 229.

ascension of medicine led to an expansion of its practice, which extended past the study and treatment of diseases to include psychiatric explanations for societal and behavioral ills; a considerable focus was given to the origins of criminality. Historian Gerald N. Grob contends that psychiatrists expanded their jurisdiction past the walls of mental hospitals and into society with the intention of creating a “new social order” where theories of mental hygiene and prevention could influence policy making.¹¹

Psychiatry was a field largely rejected by medical doctors at the beginning of the century, but as the work of Sigmund Freud gained popularity, the study of mental ailments found inclusion in the medical arena.¹² Further, the turn of the century marked a time when psychiatrists began studying neurology, which planted them firmly within mainstream medicine.¹³ Mental illness, psychiatrists contended, served as the foundation of troublesome phenomena such as an increase in criminal activity within society. In recognizing a connection between mental health and delinquency, physicians employed a concept now known as “medicalization” in order to explain crime in medical terms.¹⁴ According to sociologist Peter Conrad, “‘Medicalization’ describes a process by which non-medical problems become defined and treated as medical problems, usually in terms of illness and

¹¹ Gerald N. Grob, *Mental Illness and American Society, 1875-1940* (Princeton, N.J.: Princeton University Press, 1983), 145. See also Elizabeth Lunbeck, *The Psychiatric Persuasion: Knowledge, Gender, and Power in Modern America* (Princeton, N.J.: Princeton University Press, 1995), 20-24. Both Grob and Lunbeck suggest that the efforts of psychiatrists to “better” society were underhanded attempts to gain a political foothold.

¹² Burrow, *Organized Medicine in the Progressive Era*, 6 & 8.

¹³ Grob, *Mental Illness and American Society, 1875-1940*, 145.

¹⁴ “Medicalization” is a term coined by sociologists in the 1970s. For more, see Peter Conrad, *The Medicalization of Society: On the Transformation of Human Conditions into Treatable Disorders* (Baltimore: Johns Hopkins University Press, 2007).

disorders.” Conrad contends that from identification to treatment, conditions previously seen as general anomalies suddenly fell into medical jurisdiction.¹⁵ Beginning in the late nineteenth century, physicians identified crime as the result of a mental or physical ailment that they used medical language to diagnose and curative and preventative medical treatment to eradicate.¹⁶ When explaining crime in medical terms physicians and psychiatrists believed crime to be the result of poor mental health, which they argued was inherent and hereditary. As a result, the state often lumped criminals into a catchall category of mentally deficient or “feeble-minded” with little regard paid to personal or extenuating circumstance.

The connection between crime and medicine met in the arena of mental hygiene. Dr. William Brown, professor of psychology from Washington, D.C., argued “the prevention of juvenile and adult delinquency will, in the ultimate analysis, depend upon our understanding of the mental disorders lying back of them.”¹⁷ Similarly, in an address to the Southern Medical Association, Dr. W. L. Treadway noted how at the beginning of the twentieth century, more people were hospitalized for mental illness than for physical ailments. Treadway contended that the medical community was “dealing with mental sickness as a public health problem” just as they had with “physical disease 80 years ago.”¹⁸ The prevalence of mental illness concerned physicians and progressive reformers who believed

¹⁵ Conrad, *The Medicalization of Society*, 4 & 5.

¹⁶ Kevles, *In the Name of Eugenics*, 72.

¹⁷ Dr. Wm M. Brown, “Mental Hygiene in Public Schools,” article in *Mental Hygiene, Child Welfare: Did You Know? Do you Care?*, Richmond, VA, December 1924. From the Virginia Historical Society, Record Group 227300.

¹⁸ The North Carolina State Board of Health, “Mental Health,” *The Health Bulletin*, Vol. 51 No. 1, Raleigh, N.C., January 1936, “Folder - Psychiatry and Crime,” Box - PC 255.28 Social Welfare, 1922-1938, NBLP, SANC, Raleigh, NC.

that the majority of criminals existed within the feeble-minded population.¹⁹ Physicians and psychiatrists contended that “feeble-minded” individuals, “because of their lack of intelligence,” could not overcome the challenges existed in bad environments. Indeed, the prevailing theory among medical professionals around the turn of the century was that feeble-mindedness was a “sufficient explanation of delinquency” and anyone who belonged to that category “should be promptly segregated from normal persons.”²⁰

Dr. James King Hall, a leading psychologist in Virginia in the 1920s, argued that crime was a result of a person’s inability to repress an instinctive urge that went against “the good of the herd.”²¹ Good citizenship, therefore, relied on conformity; if the citizen operated outside of societal norms, then they threatened the community to which they belonged.²² Hall suggests that those who commit violent acts, including those that are sexual in nature, have not “escaped from the dominating influence of primal instincts.” Almost a decade later, Hall called for the inclusivity of medicine and mental health. He argued that doctors’ attitude how towards mental illness was nothing more than “mediaeval” since they did not consider mental ailments “as belonging within the domain of modern medicine.” The solution to this

¹⁹ Steven Noll, *Feeble-minded in Our Midst: Institutions for the Mentally Retarded in the South, 1900-1940* (Chapel Hill: University of North Carolina Press, 1995), 19; Grob, *Mental Illness and American Society, 1875-1940*, 163 and Lunbeck, *The Psychiatric Persuasion*, 20.

²⁰ “Juvenile Delinquency,” *The Journal of the American Medical Association* 70, no. 6 (February 9, 1918): 388-389.

²¹ James K. Hall, M.D., “Crime as a Medical Problem,” pamphlet, Richmond, VA, 1927, “Folder - Psychiatry and Crime,” Box - PC 255.28 Social Welfare, 1922-1938, NBLP, SANC, Raleigh, NC.

²² James K. Hall, M.D., “A Day in Court,” speech to the Richmond Academy of Medicine 25 September 1935, reprinted from *The Journal of the Tennessee State Medical Association* Vol. 28 No.1, January 1935, “Folder - Psychiatry and Crime,” Box - PC 255.28 Social Welfare, 1922-1938, NBLP, SANC, Raleigh, NC.

exclusive relationship was education. Hall contended that all physicians and nurses be required to work in mental hospitals as part of their training. Further, he was convinced that the key to mental hygiene was preventative work through education, which Hall took a step further, arguing how this was almost more important than preventive work for physical ailments. In other words one cannot be physically ill without it affecting their emotional or mental state.²³

In the early twentieth century, psychiatrists searched for relevance within the domain of anatomical medicine.²⁴ When trying to justify the study of mental health within the mainstream profession, psychiatrists argued the body and mind were inseparable and what adversely affected one affected the other. According to Dr. Andrew H. Woods, the brain was just as much an organ in the human body as was the heart or liver, therefore “derangements of the brain and the mind are...within the field of medical science.” Woods believed so strongly in this connection that during his tenure as the chair of the psychiatry department at the University of Iowa Carver College of Medicine he integrated his department with the University’s law school in the early 1930s.²⁵ Medical professionals like Woods argued that disease and or bodily injury often created mental deficiencies and vice versa.

²³ James K. Hall, M.D., “The Community’s Responsibility for the Mentally Sick,” pamphlet, Richmond, VA, 1936, “Folder - Psychiatry and Crime,” Box - PC 255.28 Social Welfare, 1922-1938, NBLP, SANC, Raleigh, NC; Clara Bassett, *Mental Hygiene in the Community* (New York: The MacMillan Company, 1936), 20.

²⁴ Grob, *Mental Illness and American Society, 1875-1940*, 166.

²⁵ Andrew H. Woods, “Successful Living: General Hygiene and Mental Hygiene,” *The Health Bulletin*, Vol. 51 No. 1, Raleigh, N.C., January 1936, “Folder - Psychiatry and Crime,” Box - PC 255.28 Social Welfare, 1922-1938, NBLP, SANC, Raleigh, NC.

In the case of feeble-mindedness, psychiatrists pointed to both environmental and biological causes. One of the leading causes of mental illness, syphilis, especially crippled the brain and often caused “confuse[d] mental action.” Other sources of mental deficiency or feeble-mindedness were thought to be found exclusively in the home. Woods contended that women did society a disservice by choosing to give birth to their children in the home with the assistance of midwives or neighbors. Because women were “unwilling to employ skilled obstetricians” they opened the door to a prolonged labor that often placed unnecessary pressure on the infant’s skull causing irreparable brain damage, and therefore, mental illness. However, one of the more popular opinions as to the causes of delinquency lay in the atmosphere of the home where the “ineptness or positive maliciousness of the parents” caused their children to seek out a life of crime. According to Woods, “the home does for character what the mother’s womb does for bodily organs.”²⁶

Psychiatrists offered a number of explanations for the root of insanity and other mental ailments, which, taken together, represent larger conversations occurring in the progressive movement. Some progressives believed that immoral environments caused adult and childhood delinquency. In order to prevent such behavior, the remedy laid in cleaning up the community and home. Other members of the movement saw a need to enact tangible laws, such as temperance and sterilization, which would eradicate immorality. Although progressives often represented various dissenting sects, they operated on a foundational belief that man could be reformed, and that the social good trumped individual rights when individual rights did not serve the social good.²⁷

²⁶ Ibid.

²⁷ Grob, *Mental Illness and American Society, 1875-1940*, 109.

Despite variations in their arguments, psychiatrists universally noted how physical ailments could negatively affect mental health and vice versa. In one case Woods recalled an instance where an “ambitious society woman” developed paralysis in both of her legs, not because of a disease or weakness in her muscles, but in the realization that she was not popular among her friends as evidenced by the low attendance to her dinner parties. Psychiatrists used gendered understanding and language to assert that there was a direct connection between the body and mental health. These medical professionals believed that there was something innate about a woman’s “natural” sensitivity that could negatively affect her both mentally and physically. In another example a young girl notices her lover’s disinterest and suffers much physical pain. This situation, according to Woods, “ought to spur her to effort to dress and act attractively . . . in the circles which he frequents,” but instead the woman falls into a spiral of pity which causes her physical body harm. While women become physically ill over problems in their social and love lives, Woods notes how men often suffer from illness when they face troubles in business. An investor who was looking to be regarded as “the shrewdest investor of his city” attempted suicide when he believed he would lose his credibility as a businessman when a large account fell through.²⁸

As these cases show, the field of mental health was not free from gendered essentialism. Apart from the obvious biological differences between males and females, psychiatrists believed that there was an innate distinction between men and women in the matter of mental health. In the examples he provides, Woods points out how women are particularly sensitive in matters of social and romantic relationships whereas men suffered

²⁸ Andrew H. Woods, “Successful Living: General Hygiene and Mental Hygiene,” *The Health Bulletin*, Vol. 51 No. 1, Raleigh, N.C., January 1936, “Folder - Psychiatry and Crime,” Box - PC 255.28 Social Welfare, 1922-1938, NBLP, SANC, Raleigh, NC.

from work related stresses. The gender assumptions made by early twentieth century medical professionals shaped the way they theorized, diagnosed, and treated mental and physical ailments. Historian Elizabeth Lunbeck contends that gender essentialism was “encoded” in the medical profession either “overtly,” as in the case of diseases or diagnosis related to sex, or “silently” in seemingly non-sex related mental conditions.²⁹

Psychiatrists also argued “what the body lacks or has in excess has its effect upon the mind.”³⁰ For example, when a young high school athlete became injured in an accident his mental state declined. “No longer an athletic hero,” the young man kept to himself, lost the camaraderie of his teammates, and fell out of favor with the young girls in the school. His injury sent him down a spiral of depression, which resulted in failing grades and a long stay in a mental institution.³¹ Psychiatrists used case studies such as these to prove how the body and mind were inextricably linked to one another. According to historian John C. Burnham, psychiatrists in the nineteenth century often performed autopsies on the brains of deceased mentally ill patients. These physicians believed that mental illness would be exhibited through the presence of brain damage or lesions on the brain itself. Their hypotheses proved correct when they discovered one of the primary causes of mental disease was syphilis.³²

²⁹ Lunbeck, *The Psychiatric Persuasion*, 6.

³⁰ James K. Hall, “Some Evidence of the Need of Aggressive Mental Hygiene in Virginia,” article in *Mental Hygiene, Child Welfare: Did You Know? Do you Care?*, Richmond, VA, December 1924. Record Group 227300, VHS, Richmond, VA.

³¹ Andrew H. Woods, “Successful Living: General Hygiene and Mental Hygiene,” *The Health Bulletin*, Vol. 51 No. 1, Raleigh, N.C., January 1936, “Folder - Psychiatry and Crime,” Box - PC 255.28 Social Welfare, 1922-1938, NBLP, SANC, Raleigh, NC.

³² Grob, *Mental Illness and American Society, 1875-1940*, 188.

The medical community often associated syphilis, and sexually transmitted diseases in general, with women.³³ This was not to suggest that STDs did not occur in men but instead that practitioners and state officials were more concerned when women were found to suffer from the disease because of the prevalence of female prostitution. In the South, racist suppositions among health and state officials led them to believe that African Americans contracted and spread syphilis more often than whites. This spurred the Tuskegee Syphilis Study in which the U.S. Public Health Service (USPHS) conducted an experiment among 600 blacks in Macon County, Alabama between 1932-1972 to study the effects of untreated syphilis.³⁴ Some of the health officials from the study attributed syphilis within the African American community to high rates of poverty and the lack of adequate education among blacks.³⁵ One New Orleans physician, C. Jeff Miller, reported that over a ten-year period of treating women from both races, his black patients had “twice the rate of pelvic infections.”³⁶ Concerns over prostitution and STDs were heightened during World War I when the

³³ Allan M. Brandt, *No Magic Bullet: A Social History of Venereal Disease in the United States since 1880* (New York: Oxford University Press, 1987), 10.

³⁴ Allan M. Brandt, “Racism and Research: The Case of the Tuskegee Syphilis Study,” *The Hastings Center Report* 8, no. 6 (December 1978): 21.

³⁵ James H. Jones, *Bad Blood: The Tuskegee Syphilis Experiment* (New York: Free Press, 1993), 39-40. Scholars J. Wasserman, M.A. Flannery, and J.M. Clair contend that the Tuskegee Syphilis Experiment is crucial event that caused a “distrust of medicine [and the government] among African Americans.” J. Wasserman, M. A. Flannery, and J. M. Clair, “Raising the Ivory Tower: The Production of Knowledge and Distrust of Medicine among African Americans,” *Journal of Medical Ethics* 33, no. 3 (March 2007):

³⁶ As historian Karen Kruse Thomas points out, the higher number of African Americans with STDs is most likely the result of disparities in medical treatment between the races. Whites were able to visit private clinics for diagnosis and treatment while African Americans were segregated from such facilities. For more see Karen Kruse Thomas, *Deluxe Jim Crow: Civil Rights and American Health Policy, 1935-1954* (Athens: University of Georgia Press, 2011), 63.

presence of the “New Woman” and the loosening of sexual mores threatened the well being of America’s military force.³⁷ Fear of the spread of STDs within the military inspired the creation of the Commission on Training Camp Activities (CTCA), an organization created by Woodrow Wilson and Secretary of War Newton D. Baker that launched various educational campaigns to restrict promiscuity throughout the nation.³⁸ Historians Alan M. Brandt and Nancy K. Bristow have both argued that the CTCA failed because of its progressive nature. They contend that the organization’s reluctance to accept social changes in the United States led to the arrest of thousands of women rather than the eradication of STDs.³⁹

Indeed, progressives often used science and social work to understand and cure societal ills. However, these attempts often led to invasive methods of social control.⁴⁰ According to Burnham, “social control was an aim of reformers in both politics and science.” The “malleability” of man laid at much of the foundation of both studies in mental health and progressivism. Both progressives and psychiatrists believed that to a certain extent the evil in man could be reformed into good.⁴¹ In 1924, Virginia’s State Board of Public Welfare contended that members of delinquent or defective classes “may be saved to useful and respectable lives” with proper rehabilitation. “Modern science,” they argued, “has taught us

³⁷ Marilyn E. Hegarty, *Victory Girls, Khaki-wackies, and Patriotutes: The Regulation of Female Sexuality during World War II* (New York: New York University Press, 2008), 9.

³⁸ Nancy K. Bristow, *Making Men Moral: Social Engineering during the Great War* (New York: New York University Press, 1996), xvii.

³⁹ Brandt, *No Magic Bullet*, 94 and Bristow, *Making Men Moral*, 118.

⁴⁰ John Chynoweth Burnham, “Psychiatry, Psychology and the Progressive Movement,” *American Quarterly* 12, no. 4 (Winter 1960): 457.

⁴¹ *Ibid.*, 463 & 465.

vastly regarding the psychology of these delinquents and the heredity of these defective traits.” In order to fix criminality in Virginia, progressive lawmakers insisted on an increase in the state’s funding of public welfare programs and the use of science and medicine to correct the problems.⁴²

Mental Hygiene, Prevention, and Control

The medicalization of crime revolutionized the way physicians and state authorities understood criminal and carceral policy. Explanations as to why someone broke the law ranged from brain damage at birth to a problematic home life. However, as practitioners continued to study mental health and feeble-mindedness, the foremost explanation of criminal behavior was heredity. According to Andrew Woods, “two of the most prevalent forms of insanity recur so frequently in certain families that one is forced to consider them inheritable.”⁴³ This belief forged a worldwide eugenics and sterilization movement beginning in the nineteenth century. In the United States the eugenics movement fell in line with twentieth century progressivism. Those who advocated eugenics through sterilization of the criminally insane “represented the progressive attempt to deal with that part of man

⁴² Wilson Gee, “Virginia’s Need and Resources for Progress,” speech to the Virginia Conference of Social Work, Petersburg, VA, September 23, 1924, reprinted in *Mental Hygiene, Child Welfare: Did You Know? Do you Care?*, Richmond, VA, December 1924. Record Group 227300, VHS, Richmond, VA.

⁴³ Andrew H. Woods, “Successful Living: General Hygiene and Mental Hygiene,” *The Health Bulletin*, Vol. 51 No. 1, Raleigh, N.C., January 1936, “Folder - Psychiatry and Crime,” Box - PC 255.28 Social Welfare, 1922-1938, NBLP, SANC, Raleigh, NC.

which was not malleable.”⁴⁴ Eugenics and sterilization, therefore, acted as another branch of preventative medicine, mental hygiene, and public health.

Sir Francis Galton, a British statistician and half cousin of Charles Darwin, coined the term “eugenics” in 1883. Originating from a Greek root meaning “good in birth,” eugenics argued that human traits, both good and bad, are determined by heredity. Galton broke down eugenics into two parts, positive and negative. Positive eugenic campaigns encouraged members of the upper classes to procreate while negative eugenics sought to prevent the breeding of those in the lower classes.⁴⁵ In the late nineteenth and early twentieth century, negative eugenics took the form of segregation, institutionalization, and the passage of strict marriage laws. By removing those of “bad stock” from the rest of society eugenicists hoped they could prevent those with undesirable character traits from passing those genes on to a new generation.

Prevention remained an important characteristic of Progressive Era reform efforts that originated with the movement in the late nineteenth century and continued into the twentieth.⁴⁶ During the Progressive Era, prevention took the form of public health campaigns that proliferated throughout the United States. The most basic definition of public health refers to community efforts at protecting individuals and itself from disease, whether

⁴⁴ Burnham, “Psychiatry, Psychology and the Progressive Movement,” 460.

⁴⁵ Wendy Kline, *Building a Better Race: Gender, Sexuality, and Eugenics from the Turn of the Century to the Baby Boom* (Berkeley: University of California Press, 2005), 13. For more on Sir Francis Galton see Nicholas W. Gillham, *A Life of Sir Francis Galton: From African Exploration to the Birth of Eugenics* (New York: Oxford University Press, 2001) and M. G. Bulmer, *Francis Galton: Pioneer of Heredity and Biometry* (Baltimore: Johns Hopkins University Press, 2003).

⁴⁶ Grob, *Mental Illness and American Society, 1875-1940*, 144.

physical, mental, or moral.⁴⁷ When it came to medicine and crime, reformers in and outside of the medical profession developed a number of strategies within the emerging public health campaign of the early twentieth century.

Progressive reformers and psychiatrists believed criminal insanity to be a societal ill that would all but disappear with an effective preventative program. One judge from one of the more “progressive counties in Virginia” stated how “it has become apparent that the practice of trying to reduce delinquency . . . by caring for the finished product is unscientific and inefficient. The county needs an organization for the undertaking of effective work along preventative and remedial lines.”⁴⁸ This idea extended past the desires of progressive local judges and into the prerogative of Virginia’s bureaucratic agencies. The motto covering the front page of two 1923 reports produced by the Virginia State Board of Public Welfare read “Much for care, more for cure, most for prevention.” Progressives in medicine and the government believed in the importance of thwarting delinquency before it reached the state’s judicial system. By doing so, authorities could employ preventative campaigns that would not only clean up and protect society, they also allowed the state to save a considerable amount of money and resources.⁴⁹

Progressives in and outside of the medical profession believed social and mental hygiene programs to be the best method of preventing criminality in society. These

⁴⁷ John Duffy, *The Sanitarians: A History of American Public Health* (Urbana: University of Illinois Press, 1992), 1.

⁴⁸ C.E. McClintock, “Parole from the Institutional Viewpoint,” article in *Mental Hygiene, Child Welfare: Did You Know? Do you Care?*, Richmond, VA, December 1924. HV86.V84 1924, Record Group 227300, VHS, Richmond, VA.

⁴⁹ Ibid.

reformers focused on injecting “morality” into local communities through education and public health programs. Mental hygiene was a preventative program that sought to “promote and protect the integrity of the individual’s mind – to make possible its development to the highest attainable level.”⁵⁰ It required state authorities and physicians to evaluate the mentally ill and criminally insane in mind, body, and personality. Experts believed that by examining patients and inmates holistically, officials could better pinpoint the specific cause and necessary treatment of mental illness and crime.

According to Grob, mental hygiene in its most basic form “was little more than a continuation of the nineteenth-century concern with prevention.”⁵¹ Prevention in medicine and mental hygiene was wide and varied, and included seemingly innocuous prescriptions, such as physical recreation and dental care, to more harmful procedures like sexual sterilization.⁵² Grob argues, however, that there were significant differences between mental hygiene and prevention. While physicians used abstract methods in their preventative campaigns to “cure” mental and societal ills, mental hygiene found its basis in “scientific modes of thought.”⁵³ Despite these important differences, the stated purpose behind the science of mental hygiene was to prevent mental illness, and therefore, curb criminality. The

⁵⁰ James K. Hall, “Some Evidence of the Need of Aggressive Mental Hygiene in Virginia,” article in *Mental Hygiene, Child Welfare: Did You Know? Do you Care?*, Richmond, VA, December 1924. HV86.V84 1924, Record Group 227300, VHS, Richmond, VA.

⁵¹ Grob, *Mental Illness and American Society, 1875-1940*, 144.

⁵² Henry A. Cotton, *The Defective Delinquent and Insane: The Relation of Focal Infections to their Causation, Treatment and Prevention* (Princeton, NJ: Princeton University Press, 1921), 177-192 and Grob, *Mental Illness and American Society, 1875-1940*, 144-147.

⁵³ Grob, *Mental Illness and American Society, 1875-1940*, 144-145.

true purpose, however, as historians of medicine have argued, was to promote social control by justifying the “science” behind eugenics.⁵⁴

Mental hygiene was a concept developed by Clifford Beers in the 1910s. Beers was born in New Haven, Connecticut in 1876 and was one of four children; all of his siblings died while patients in mental institutions. After a successful education and career Beers attempted suicide and was institutionalized for three years in three separate hospitals. While a patient, Beers witnessed and experienced first hand mistreatment by hospital staff. He decided that he would spend the rest of his life trying to inspire reform of mental institutions as well as change the stigmas attached to mental illness. In January of 1905 he published *A Mind That Found Itself*, which detailed the abuse he underwent. Much like Upton Sinclair’s *The Jungle*, Beers’s publication had an immediate impact that encouraged reform. *A Mind That Found Itself* spurred a mental health reform movement throughout the United States that was grounded firmly in eugenics. Beers went on to found the National Committee for Mental Hygiene (NCMH), an organization that was firmly situated in theories of eugenics and played a key role in inspiring legal reforms, research in mental health, and provided funding for medical students interested in studying mental disorders.⁵⁵

⁵⁴ Ibid., 145-178.

⁵⁵ Manon Parry, “From a Patient’s Perspective: Clifford Whittingham Beers’ Work to Reform Mental Health Services,” *American Journal of Public Health* 100 (2010): 2356–57. For more on Clifford Beers see Norman Dain, *Clifford W. Beers: Advocate for the Insane* (Pittsburgh: University of Pittsburgh Press, 1980); Johannes Coenraad Pols, “Managing the mind: The culture of American mental hygiene, 1910—1950” (January 1, 1997); Gerald N. Grob, *Mad among Us: A History of the Care of America’s Mentally Ill* (New York: Free Press, 2011) and Gerald N. Grob, *Mental Illness and American Society, 1875-1940* (Princeton, N.J.: Princeton University Press, 1983).

Because of its underdeveloped institution building, the South became the focus of surveys conducted by the National Committee for Mental Hygiene and the Russell Sage Foundation, an organization founded in 1907 to promote improved social and living conditions throughout the United States. Northern experts in mental hygiene traveled throughout the South in the first two decades of the twentieth century noting how Deep South states in particular had almost no provisions for their “feeble-minded” populations. World War I provided an opportunity for collaboration between northern philanthropists and southern lawmakers who sought assistance in evaluating their state’s war readiness. However, these less than reliable tests were yet another mechanism of eugenics and were used to “scientifically” justify racist, nativist, and classist suppositions of professionals in the medical community and the state.⁵⁶ Governors from South Carolina, West Virginia, Alabama, and Florida all called upon the Russell Sage Foundation to assist with physical and mental testing among their state’s eligible servicemen. These exams claimed to have revealed high rates of preventable physical and mental ailments among southern men. As a result, southern institution building grew considerably as state legislatures allocated budget surpluses brought on by war to the establishment of homes for the feeble-minded.⁵⁷

The mental and social hygiene campaigns in the South stood as one of the influential intersections of medicine and government. Through these initiatives, the medical community maintained a considerable influence over politics and society, often acting as another arm of the state. Doctor James K. Hall of Richmond, Virginia argued that in order to fight criminal

⁵⁶ Stephen Jay Gould, *The Mismeasure of Man*, rev. and expanded. ed. (New York: Norton, 1996), 224-227.

⁵⁷ Noll, *Feeble-minded in Our Midst*, 16-18.

insanity, medical practitioners and lawmakers needed to work together towards one common goal. This was difficult, Hall contended, since doctors tended to be flexible in the study of the individual while state officials remained inflexible by lumping criminals together into one faceless group. The law, he argued, did not “appropriately consider the crime problem as related to mental sickness.” Physicians believed that the differences between medicine and the law would disappear with the creation of a Mental Hygiene Movement in the state of Virginia. According to medical professionals, by establishing a mental hygiene program in the Commonwealth, the state could contribute to the eradication of mental disease and crime.⁵⁸ In reality, mentally hygiene initiatives allowed the jurisdiction of medical professionals to expand into the community; they classified those establishing a level surveillance whereby officials could classify those they deemed feeble-minded or criminal and segregate them from the rest of society.

While promoting the use of mental hygiene campaigns in Virginia, Hall noted how a concerning number of “mentally and morally disordered” people existed in the state. In order to ascertain this number, Hall reached out to the superintendents of hospitals and asylums throughout the Commonwealth. After gathering information from Virginia’s hospitals and correctional institutions he determined that 8,493 of the state’s citizens were mentally ill. According to Hall, this number represented the mental defectives of whom the state knew; there were sure to be many more who had not yet come to the attention of authorities. “What do these figures mean?” Hall continued, “They mean, for one thing, that 8,493 people have been taken out of normal productivity, out of their homes, and placed

⁵⁸ James K. Hall, M.D., “Crime as a Medical Problem,” pamphlet, Richmond, VA, 1927, “Folder - Psychiatry and Crime,” Box - PC 255.28 Social Welfare, 1922-1938, NBLP, SANC, Raleigh, NC.

under the care of the State, either for their good, the welfare of the State, or for both reasons.”⁵⁹ With this rationale, all criminals were mentally ill or feeble-minded, and all those suffering from mental illness were either criminals already or had the potential to become one.

State officials believed that this large population of mentally ill citizens placed a burden on Virginia’s taxpayers. Hall showed that in 1924, the Commonwealth spent \$1,430,735 on maintenance of the state’s institutions and treatment of the “feeble-minded” inmates housed there. In Virginia, Hall argued, the “cost per capita of a girl in a reformatory [was] equal to that of a private school.” The disapproval apparent in that statement reveals how authorities in the medical field and the state cared more about protecting state budgets than providing any kind of quality care for their wards.⁶⁰ These numbers proved to Hall that the Commonwealth needed to move forward in the adoption of a large-scale mental hygiene program in the state.⁶¹ Officials recognized the economic consequences of unchecked sexual “misconduct” throughout the twentieth century and viewed sexually deviant girls and women as especially burdensome to Virginia’s taxpayers. In order to preserve state coffers, officials

⁵⁹ The numbers Hall provides includes white and African American inmates and patients of all prisons, reformatories, and hospitals in the state. He does not offer any discussion on the role of race in his call for mental hygiene programs in Virginia. James K. Hall, “Some Evidence of the Need of Aggressive Mental Hygiene in Virginia,” article in *Mental Hygiene, Child Welfare: Did You Know? Do you Care?*, Richmond, VA, December 1924. HV86.V84 1924, Record Group 227300, VHS, Richmond, VA.

⁶⁰ National Florence Crittenton Mission, “Ivavota Farms: National Industrial & Agricultural Training School for Girls,” pamphlet. HQ316.I9 I9, Record Group 66101, VHS, Richmond, VA.

⁶¹ James K. Hall, “Some Evidence of the Need of Aggressive Mental Hygiene in Virginia,” article in *Mental Hygiene, Child Welfare: Did You Know? Do you Care?*, Richmond, VA, December 1924. HV86.V84 1924, Record Group 227300, VHS, Richmond, VA.

sought to regulate who was having sex and punish those, particularly lower class white women and African Americans, whose sexual misconduct was thought to increase the spread sexually transmitted diseases or produce offspring that depended on welfare from the state. According to historian Pippa Holloway, the sexuality of the lower classes “had public implications and required regulation.”⁶² Since the number one offense leading to a woman’s arrest was sexual misconduct, the state often spent an abundant amount of resources on the treatment of STDs. For this reason, delinquent girls were seen as “the most expensive problem for the consideration of the taxpayer.”⁶³

Southern reformers lauded the importance mental and social hygiene programs played in preventing mental illness for future generations, but their efforts at establishing a mental hygiene program within the individual southern states were not rewarded, in their estimation, until the mid 1930s. Although national committees for mental hygiene existed, many reformers believed that the campaigns would be the most effective at a local level. At the Virginia Conference of Social Work, Dr. Frankwood E. Williams, the Medical Director of the NCMH argued that the medical profession came to realize that “the problem of mental hygiene is a community problem.” Large hospitals, Williams contended, consumed too much time and money to build and maintain. He suggested instead the revamping of smaller existing institutions throughout the southern states.⁶⁴ Dr. Ernest M. Poate agreed with

⁶² Pippa Holloway, *Sexuality, Politics, and Social Control in Virginia, 1920-1945* (Chapel Hill: University of North Carolina Press, 2006), 6.

⁶³ National Florence Crittenton Mission, “Ivavota Farms: National Industrial & Agricultural Training School for Girls,” pamphlet. HQ316.I9 I9, Record Group 66101, VHS, Richmond, VA.

⁶⁴ Frankwood E. Williams, M.D., “Modern Community Organization for Mental Health,” speech to the Virginia Conference of Social Work, Charlottesville, VA, April 24, 1923,

Williams, explaining that the states “ought to have mental hygiene clinics in different sections of the State, available to the public.”⁶⁵

Southern states often lagged behind their northern counterparts when it came to the size and scope of public health and hygiene programs. According to historian John H. Ellis, the inchoate southern health campaigns can be explained through the cultural hallmarks of the region. In the mid-nineteenth century, southern officials believed public health or sanitation to be northern “bourgeois” practices that went against their region’s ideologies of governance.⁶⁶ This regional resistance eased at the turn of the twentieth century, but its delay left a lasting impression on the South’s hygienic campaigns. Throughout the 1920s and early 1930s, North Carolina was one of the southern states that fell short when it came to implementing a comprehensive mental hygiene program, which resulted from a lack of funding, not the absence of volition.⁶⁷ In May 1936 the state established the North Carolina Mental Hygiene Society (NCMHS). The NCMHS had a broad mission that not only sought to treat their mentally ill citizens but also looked to influence state politics into taking a more progressive approach when dealing with those afflicted with mental diseases, criminal or otherwise. Their mission statement read:

reprinted in *Mental Hygiene Child Welfare: Did you Know? Do you Care?* Richmond, Virginia. December 1924. HV86.V84 1924, Record Group 227300, VHS, Richmond, VA.

⁶⁵ Ernest M. Poate, M.D., “State Institutions Need Skill,” *The News and Observer*, 31 December 1933.

⁶⁶ John H. Ellis, *Yellow Fever and Public Health in the New South* (Lexington: University Press of Kentucky, 1992), 35.

⁶⁷ Nell Battle Lewis, “Detailed Survey Completed of Mental Health Problems,” *The News and Observer*, 7 February 1937.

The chief purpose of this Society is to work for the conservation of mental health; to help prevent nervous and mental disorders and mental defects; to help raise the standard of care and treatment for those suffering from any of these disorders or defects; to secure and disseminate reliable information on these subjects; to promote favorable legislation; to cooperate with federal, state, and local agencies or officials and with public and private agencies whose work is in any way related to that of a society for mental hygiene.⁶⁸

Physicians who favored mental hygiene programs often compared these efforts to breakthrough medical discoveries throughout history. In an address to the NCMHS, renowned neuro-psychiatrist Beverley Randolph Tucker contended that mental hygiene was “as important as Lister’s inauguration of antiseptic surgery, Pasteur’s and Koch’s introduction of the facts of bacterial infection, or Long’s first use of a general antiseptic.” Tucker took this sentiment a step further by arguing how mental hygiene would “be [of] far more use to the world” than the World Court, Treaty of Versailles, and League of Nations.⁶⁹ The irony was that Tucker compared what he believed to be the invaluable benefits of mental hygiene to foreign policies that fell short of their purpose.

Psychiatrists agreed that executing a successful campaign would prove most difficult, but the failure of such attempts could cause irreparable harm to not only the patients, but society. They believed that in order for their state to have a “sensible mental hygiene program” it needed to be under the watchful eye of medical professionals.⁷⁰ Physicians acknowledged that general bodily hygiene was easy to accomplish, but hygiene of the mind

⁶⁸ “The North Carolina Mental Hygiene Society,” pamphlet. “Psychiatry and Crime,” Box - PC 255.28 Social Welfare, 1922-1938, NBLP, SANC, Raleigh, NC.

⁶⁹ Nell Battle Lewis, “Mental Hygiene Accorded High Medical Importance,” *The News and Observer*, 26 January 1937.

⁷⁰ Ibid.

was far more difficult since its definition and method remained abstract in comparison.

Andrew Woods, Director of the Iowa State Psychopathic Hospital, argued, “The objective of mental hygiene is successful living.” According to Woods, every person could experience successful living if they worked towards three general purposes: self-preservation, reproduction, and cooperation. He argued that mental hygiene sought to produce healthy minds to safeguard preservation, encourage the proper use of “sexual functions for their obvious purpose, joyously [and] justly,” and to cooperate with other individuals within the community all while “preserving a wholesome independence and individuality.”⁷¹ Mental hygiene, which at the time doctors and psychiatrists considered “the newest branch of medical science,” ensured the purposes were met by seeking to “prevent and cure insanity,” attack criminality, correct societal misunderstandings of religion, morality, and values, and to educate the public on the proper function of marriage and the home.⁷²

In the early twentieth century, most physicians and state officials looked at this subfield of medicine with great optimism. Mental hygiene could cure the mind, something previously believed to be impossible. Physicians reminded their cohorts that nineteenth century practitioners and scientists once believed rabies, smallpox, tuberculosis, and diphtheria could not be brought under control but it was through public health campaigns and vaccines that these diseases all but disappeared. By seeing the brain as just another organ of the human body, medical science could find the cure for disease that ailed it and therefore reduce crime.

⁷¹ Andrew H. Woods, “Successful Living: General Hygiene and Mental Hygiene,” *The Health Bulletin*, Vol. 51 No. 1, Raleigh, N.C., January 1936, “Folder - Psychiatry and Crime,” Box - PC 255.28 Social Welfare, 1922-1938, NBLP, SANC, Raleigh, NC.

⁷² Ibid.

Psychiatrists and physicians believed physical recreation to be an important method of promoting good mental hygiene so a number of juvenile institutions employed outdoor labor and play in their curricula. The North Carolina State Board of Charities and Public Welfare held high regard for the recreation program at Samarcand Manor as was evidenced in a story the board wrote entitled “The Re-creation of Mary Smith.” In this pamphlet, the board described the experience of Mary Smith, a sixteen-year-old “fallen woman” who was arrested and convicted for prostitution. Smith’s parents were neglectful and mean, and she was afraid to go home, which resulted in her spending time with men who “forced their kisses upon her.” Out of financial desperation, when the men asked for “more,” Smith began a life of prostitution. The board argued that her sentencing to Samarcand brought with it a feeling of relief for other girls in society: “No more would this outcast wander the highroads to hell seeking to drag youth along to hell with her. She was gone, gone to Samarcand. The burden of her degeneracy was shifted away to other shoulders. The virtuous community thought no more of Mary Smith, the ‘fallen woman.’”⁷³ In what appears to be nothing more than a propaganda piece, the board credits “the pleasant place” of Samarcand for the rehabilitation of this female sex offender. The board argued that Samarcand was a place where physical activity and recreation could “cure” even a “fallen woman.” After recreation Smith’s “face lost that sickly blight that comes to the face of the ‘fallen woman,’ and took on the ruddy, sunburned glow of perfect health. She forgot the urge to sex.”⁷⁴ Smith was one of the lucky ones, the board stated, since she had not yet been “contaminated” with STDs,

⁷³ Ben Dixon MacNeill, “The Re-Creation of Mary Smith,” North Carolina State Board of Charities and Public Welfare, Raleigh, North Carolina, 1920, 4, Box - Samarcand, SANC, Raleigh, NC.

⁷⁴ Ibid., 9.

which made her rehabilitation easier. For others with STDs, their time in Samarcand was extended since it was required that they be “segregated until they are pronounced clean.”⁷⁵

To be sure the reader knew the “healing” powers of the institution, the board concluded

Thus the ‘fallen woman,’ the problem that has vexed man since he devised the moral code, thus the menace to society who was dragging men to hell had come up from the mire into which unhappy chance had trampled her. Mary Smith was a woman. Now she might go back to the judge who adjudged her a prostitute and look him in the face unafraid. She had been reclaimed . . . and that is Samarcand.⁷⁶

This pamphlet simultaneously exposed the board’s misogynistic double standards of the sexual behaviors of men and women and highlighted the state’s belief that their institutions could heal the minds and bodies of those the courts deemed “fallen.” According to doctors, psychiatrists, and state officials, delinquency was often the result of a lack of “wholesome play and recreation.” Medical experts reported that unmarried mothers or those suffering from STDs had rarely participated in “adequate recreational programs” which they believed contributed at least in part to the deviant behavior that resulted in pregnancy or disease.⁷⁷ But the story of Mary Smith also shows how the state took on the role of diagnostician. For those who came to institutions with STDs, it was up to the state to decide when they could be pronounced “clean” and released back into society. Indeed, the board believed that

⁷⁵ Ibid., 5.

⁷⁶ Ibid., 10.

⁷⁷ Clara Bassett, *Mental Hygiene in the Community* (New York: The MacMillan Company, 1936), 326.

for some women who had “fallen lower” than Mary Smith, rehabilitation would require more time inside of the institution.⁷⁸

In addition to recreation, reformers within the medical profession and state authorities recommended a progressive practice known as “scientific training” in the early decades of the twentieth century as a way to eradicate antiquated carceral methods that they believed caused more harm than good. Scientific training, or classification, is best defined as “a method of individualized study and treatment of prisoners.” Each inmate would be evaluated physically and mentally and interviewed on their history of employment and education, as well as their vocational and spiritual training. The purpose of such inquiry was manifold. First, authorities within institutions would have a better understanding of the prisoners housed there. Second, having gotten to know the inmate, the classification committee could then appoint the individual to an appropriate work assignment within the facility, one that played to the inmate’s skills and economically benefitted the institution. Finally, officials within the institution could better understand the problems faced within the facility. Reformers believed that the purpose of prison was not to seek revenge against the criminal, but to protect society by segregating and then reforming the offender. Prison, therefore, was a place where individuals could, in theory, transform themselves physically, mentally, and morally to be better people. With classification, the emphasis was placed on the offender’s future rather than his past. According to state officials, this process could rehabilitate almost any criminal, sending them back

⁷⁸ Ben Dixon MacNeill, “The Re-Creation of Mary Smith,” North Carolina State Board of Charities and Public Welfare, Raleigh, North Carolina, 1920, 10, Box - Samarcand, SANC, Raleigh, NC.

into the community as a useful citizen, as long as the individual was not “feeble-minded.”⁷⁹

When discussing parole, C.E. McClintock, Superintendent of the Virginia Industrial School for Boys in Maiden stated, “I believe that in many cases delinquency is a disease or the result of a disease and as such should be treated.”⁸⁰ He contended that the solution to the crime problem laid in the study of criminals as individuals: “We are glad that the old method of custody and punishment . . . has been replaced with a newer and saner method . . . the scientific training of the delinquent boy today requires the study of the individual who has offended.” Scientific training sought to delve into the criminal’s physical, mental, and social background in order to identify what caused that individual to commit crime in the first place: “we must ascertain all the facts possible concerning the causes and the make up of the offender.”⁸¹ McClintock gives the example of John Doe, age 17. After conducting extensive interviews and investigating the boy’s mental and physical status, the state marked the young offender as an “unmanly” and “pleasure loving” adolescent who kept bad company because of a life long lack of supervision from his parents. Another case of a boy from Boston highlights the change in classifying delinquent youth. Authorities viewed this particular child as “a genuine born criminal.” However, after ten minutes of observation, state

⁷⁹ Virginia Department of Corrections, “A Suggested Classification Program for the Department of Corrections,” pamphlet, Richmond, VA, 1942, Correctional Center for Women at Goochland Boxes 1 & 2, Record Group 42, DOC, LVA, Richmond, VA.

⁸⁰ C.E. McClintock, “Parole from the Institutional Viewpoint,” article in *Mental Hygiene, Child Welfare: Did You Know? Do you Care?*, Richmond, VA, December 1924. HV86.V84 1924, Record Group 227300, VHS, Richmond, VA.

⁸¹ Ibid. McClintock is referring to using scientific training in institutions for juvenile offenders.

authorities realized that the boy showed signs of juvenile paresis, a medical condition believed to be the result of congenital syphilis that eventually affected his brain.⁸²

State officials believed that scientific training not only helped authorities understand criminals but also thought the process of classification helped reform delinquents. In the case of the delinquent boy, McClintock notes how “before we are through his attitude has been changed; he feels we are his friend and are trying to help him.” With this “Be his pal” methodology, authorities believed criminals of all ages could leave an institution and become a useful member of society.⁸³ Classification, therefore, would significantly decrease recidivism, bettering society socially as well as economically. Reformers in the early twentieth century realized that antiquated carceral policy of locking up offenders “merely to get revenge” was “not only an economic waste but a serious danger to society.” If anything, the old methods of incarceration embittered “men and women [who] were turned out of institutions unwilling and unable to earn an honest living.” According to Virginia’s Department of Corrections, “thoughtful people came to realize that the purpose of imprisonment is the protection of society, not revenge against the criminal.”⁸⁴

Scientific training is one of many examples of how the association between crime, medicine, and psychology revolutionized carceral policy throughout the United States. Prior

⁸² Riggs C., “Juvenile Paresis Treated by the Intraspinal Injection of Salvarsanized Serum: Report of a Case,” *Journal of the American Medical Association* LXII, no. 24 (June 13, 1914): 1888–89.

⁸³ C.E. McClintock, “Parole from the Institutional Viewpoint,” article in *Mental Hygiene, Child Welfare: Did You Know? Do you Care?*, Richmond, VA, December 1924. HV86.V84 1924, Record Group 227300, VHS, Richmond, VA.

⁸⁴ Virginia Department of Corrections, “A Suggested Classification Program for the Department of Corrections,” pamphlet, Richmond, VA, 1942, Correctional Center for Women at Goochland Boxes 1 & 2, Record Group 42, DOC, LVA, Richmond, VA.

to the twentieth century, prison was a place where hoards of nameless criminals were segregated from society without a plan for rehabilitation.⁸⁵ Convicts, therefore, labored for varying amounts of time, only to be released without the rehabilitation required to contribute to their communities. The result was a cycle of crime, incarceration, and recidivism. However, the institutionalization of “mentally ill” delinquents continued to put a strain on state funds and resources so medical and state authorities promoted invasive medical procedures to help reduce the cost of criminality.⁸⁶

Sterilization

To alleviate the expense of institutionalization, eugenicists argued for the practice of sexual sterilization throughout the South.⁸⁷ According to historian Gregory Michael Dorr, “Virginia’s earliest eugenicists viewed the castration of rapists as a progressive, humane, and economic therapy.”⁸⁸ R. Eugene Brown, Secretary of the Eugenics Board of North Carolina, contended “eugenical sterilization is a means adopted by organized society to do for the

⁸⁵ This could also be said for mental asylums. For more see Gerald N. Grob, *Mad among Us: A History of the Care of America's Mentally Ill* (New York: Free Press, 2011) and David J. Rothman, *The Discovery of the Asylum: Social Order and Disorder in the New Republic* (Boston: Little, Brown & Co., 1971).

⁸⁶ Edward J. Larson, *Sex, Race, and Science: Eugenics in the Deep South* (Baltimore: Johns Hopkins University Press, 1996), 82 & 117.

⁸⁷ Sterilization finds its roots in Europe during the nineteenth century. The earliest American case of a vasectomy occurred in Chicago in 1897, but this procedure was used to alleviate prostate problems rather than prevent procreation. For more see Philip Reilly, *The Surgical Solution: A History of Involuntary Sterilization in the United States* (Baltimore: Johns Hopkins University Press, 1991), 30-34.

⁸⁸ Gregory Michael Dorr, *Segregation's Science: Eugenics and Society in Virginia* (Charlottesville: University of Virginia Press, 2008), 2.

human race in a humane manner what was done by Nature before modern civilization, human sympathy, and charity.” Referencing to the popular notion of “survival of the fittest,” Brown noted how, thanks to modern medicine and society, “the weak and defective are now nursed to maturity and produce their kind.”⁸⁹

California outnumbered the rest of the United States by a large margin in the number of sterilizations performed. Edward Larson contends that California led the way in this practice for several reasons. California was a young state in the early twentieth century compared to those in the Deep South. Whereas southern states’ were steeped in rural and religious traditions, California’s population of mostly migrants were “dynamic” and “unattached,” willing to accept change and experiment with new trends. California was also wealthy state that had the resources and money necessary to build mental and carceral institutions where sterilizations could be performed.⁹⁰

Eugenicists were also not as influential in the South as they were in the North and West. For much of the early twentieth century, every region of the United States had enacted sterilization laws, except the South.⁹¹ This quickly began to change when, in 1924, Virginia’s General Assembly passed the Racial Integrity Act (RIA), which required the race of all citizens to be formally recorded at the time of birth. With this information, the state was able uphold their ban of interracial marriage. In the same year, Virginia’s legislature passed the Sterilization Act that allowed for the compulsory sterilization of those the state

⁸⁹ R. Eugene Brown, “Eugenical Sterilization in North Carolina,” *Richmond Times Dispatch*, 4 August 1935.

⁹⁰ Larson, *Sex, Race, and Science*, 32-35.

⁹¹ Kevles, *In the Name of Eugenics*, 100.

deemed “feeble-minded” or “insane.”⁹² Virginia’s new eugenic laws garnered national attention three years later when the United States Supreme Court upheld the state’s sterilization statute as constitutional in the landmark case *Buck v. Bell*.

Carrie Buck was born in Charlottesville, Virginia in 1906. Her mother could not afford to care for her, requiring Buck to be fostered to the Dobbs family when she was approximately 4 years old. At the age of 18, Buck’s foster family had her committed to the Virginia Colony for the Epileptic and Feeble-minded, claiming that the girl’s behavior was out of control. In reality her foster parents were trying to hide the fact that their nephew had raped and impregnated Buck so as not to bring shame upon their family. Just a few months after the passage of Virginia’s eugenic statutes, and with skewed testimony over Buck’s “immoral” behavior, the Board of Directors at the colony ordered Buck’s sexual sterilization.⁹³

Albert Sidney Priddy, superintendent of the Virginia Colony, wanted to test the new statutes in Virginia’s Appellate Court before he performed surgery on any of the inmates slated for sterilization. He chose Carrie Buck as a test case. Priddy appointed Irving Whitehead, an experienced attorney, to defend Buck. The lawyers representing the colony argued that feeble-minded women were at fault for not being able to resist sexual activity, including sexual assault. After building a strong case against Buck, Virginia’s Supreme Court upheld the state’s statutes. In 1926, the United States Supreme Court accepted the case for review, and after seven months of testimony, the Court, in an 8 to 1 decision, declared

⁹² Dorr, *Segregation’s Science*, 2.

⁹³ *Ibid.*, 129-130.

Virginia's sterilization law as constitutional.⁹⁴ The decision had an immediate impact on southern policymaking. From 1927 through the early 1930s, sixteen states drafted comprehensive sterilization legislation including Deep South states such as Alabama, Florida, Georgia, and Louisiana where the eugenics movement had not been as influential.⁹⁵ Virginia and North Carolina ranked second and third respectively behind California in the number of coerced sterilizations performed between 1907 and 1983.⁹⁶

With the advent of therapeutic vasectomies and salpingectomies, eugenicists saw a cost effective opportunity to cure societal ills through sterilization. The economic argument of eugenical sterilization remained a popular justification among southern supporters of such legislation as seen in the example of the Wake family. Joe Wake, a feeble-minded man from North Carolina, married Mary, a feeble-minded woman, in 1895. The Wakes had 8 children, five of whom the state also considered feeble-minded. The state justified their diagnosis of the family by pointing to the arrest records of the parents and children. Joe Wake worked in the county workhouse for two years and spent three months in a county jail. He died of paresis and was buried through the use of state funds. The state determined Mary Wake's mental age to be 8 as she was arrested 24 times between 1914 and 1922 and served numerous jail sentences. She died from a drug overdose and was also buried with state funds. The only three children the state did not record as feeble-minded had died in infancy. The remaining

⁹⁴ Ibid., 132-133.

⁹⁵ Larson, *Sex, Race, and Science*, 107-108.

⁹⁶ Mark A. Largent, *Breeding Contempt: The History of Coerced Sterilization in the United States* (New Brunswick, N.J.: Rutgers University Press, 2008), 77. From the record available, it appears that sterilizations were not taking place in prisons or juvenile institutions. When an inmate from prison or one of the state's juvenile institutions was slated to be sterilized, they were sent to a state hospital for the procedure.

five children were all diagnosed with feeble-mindedness. The oldest living children were arrested several times, the boy, Sam, for burglary and the girl, Sue, for prostitution in an army camp. The three other children were sent to mental hospitals and homes for the feeble-minded upon the death of their parents.⁹⁷

North Carolina officials saw the Wake family as a menace to society and burden to tax payers in the state. They noted how the institutionalization of the Wake family cost North Carolina taxpayers at least \$22,000 by the end of 1922. The family's sterilization, on the other hand, would have cost taxpayers \$100.⁹⁸ Lawmakers who opposed sterilization in the South did not necessarily have a problem with the procedure itself. Instead, they argued against the surgeries because of their expected cost. Those in favor of sterilization laws noted cases such as the Wake family, arguing that the process would alleviate state expenditures rather than add to them.⁹⁹ In his 1928 inaugural address, Mississippi Governor Theodore Bilbo argued "The state has spent its millions in the effort to advance our civilization . . . yet our feeble-minded, epileptic, insane, paupers and criminals can reproduce without restriction, thus continuing to corrupt our society and increase tax burdens on our people."¹⁰⁰ This rationale made the sterilization aspect of eugenics more appealing than segregation. Segregating "undesirables" from society cost more money than sterilizing them.

⁹⁷ Nell Battle Lewis, untitled, "Folder - Psychiatry and Crime," Box - PC 255.28 Social Welfare, 1922-1938, NBLP, SANC, Raleigh, NC.

⁹⁸ Ibid.

⁹⁹ Larson, *Sex, Race, and Science*, 82.

¹⁰⁰ Larson, *Sex, Race, and Science*, 117. For more on Governor Bilbo see Chester M. Morgan, *Redneck Liberal: Theodore G. Bilbo and the New Deal* (Baton Rouge: Louisiana State University Press, 1985).

Sterilization allowed the state a cost effective peace of mind when they released its mentally and physically deficient citizens back into society.

As Edward Larson notes, the eugenics movement in the South looked noticeably different from similar campaigns in other parts of the country. He argues that southern ties to family and the church prevented the eugenics and sterilization campaigns from dominating in the region as it did in the North and West. Family ties, he contends, “constituted one of the region’s chief claims to distinctiveness.”¹⁰¹ Eugenics and sterilization threatened the structure of the southern family as well as the parental rights of those whose children were institutionalized. In matters of religion, Christianity dominated in the South as the rest of the country became more secularized. Eugenicists often either lacked religious affiliation or were liberal Christians and faced a region that was growing evangelically. Larson notes how “the concept of salvation and sanctification for all, solely by divine grace, challenged eugenic doctrines of fixed, inherited degeneracy and superiority.”¹⁰²

Despite its delay, eugenics and sterilization did exist in the South in the first quarter of the twentieth century as southern physicians joined the movement at the “urging of state mental health officials.” Once Indiana enacted the first sterilization law in 1907, other states began passing similar statutes and by the 1920s, 30 states legalized the practice.¹⁰³ Eugenicists in Alabama argued that feeble-mindedness, insanity, and crime were indeed hereditary and that any sterilization practices would aim strictly at members of these groups.

¹⁰¹ Larson, *Sex, Race, and Science*, 7.

¹⁰² *Ibid.*, 13.

¹⁰³ Nell Battle Lewis, untitled, “Folder - Psychiatry and Crime,” Box - PC 255.28 Social Welfare, 1922-1938, NBLP, SANC, Raleigh, NC.

In 1915, after almost a decade of petitioning, members of the regional medical society convinced the Medical Association of the State of Alabama (MASA) to endorse the sexual segregation of mentally retarded children in the state. In 1919, Alabama's legislature passed a law that allowed for the sterilization of patients housed at the Home for Feebleminded in Tuscaloosa.¹⁰⁴ North Carolina also passed a sterilization law in 1919 but this statute did not result in the sterilization of its citizens.¹⁰⁵ However, the 1929 Sterilization Act resulted in the sterilization of forty-nine citizens.¹⁰⁶ Under this law, the General Assembly of North Carolina limited the authority to petition for sterilization to the superintendent or governing board of any penal or charitable public institution.

Superintendents of juvenile institutions who called for the sterilization of some of their inmates were required to present their arguments before a classification committee or eugenics board. Oftentimes, these recommendations came about because of the criminal history of the inmate's family. For example, Grace M. Robson, superintendent of Samarcand Manor from 1934-1944, recommended the sterilization of a fifteen-year-old girl named Annie Mae whose offense was listed as "incorrigibility – girl keeps bad company and will not stay at home." Robson presented the classification committee with a chronological and

¹⁰⁴ Edward J. Larson and Leonard J. Nelson, "Involuntary Sexual Sterilization of Incompetents in Alabama: Past, Present, and Future," *Alabama Law Review* 43 (1991-1992): 413.

¹⁰⁵ The word "sterilization" was left out of the verbiage of this statute because there was concern that the practice was unconstitutional. As a result none of the institutional authorities ordered the sterilization of inmates. For more see Nell Battle Lewis, untitled, "Psychiatry and Crime," Box - PC 255.28 Social Welfare, 1922-1938, NBLP, SANC, Raleigh, NC.

¹⁰⁶ Nell Battle Lewis, untitled, "Folder - Psychiatry and Crime," Box - PC 255.28 Social Welfare, 1922-1938, NBLP, SANC, Raleigh, NC.

family history of the young inmate. Annie Mae came to the attention of authorities when her father and brother were caught breaking into a gas station. Although she was not involved in the break in, the police placed her in jail with her brother and father until the authorities at Samarcand were ready to receive her. The young girl's mom was already in jail for prostitution and her two other brothers were incarcerated in the state's juvenile institutions for white boys for selling liquor. Robson lamented that Annie Mae lived in a house without parental supervision. Boys would frequently stay with Annie Mae and Robson determined that the girl's male and female companions were "of low moral character." The superintendent claimed that the only family member of good moral standing was Annie Mae's younger sister, a ten year old who the state placed in a home upon her sister's arrest. Authorities at Samarcand complained to Robson about the girls conduct, with one housemother complaining "She was disobedient last night and refused to do what I asked her to do." A physiatrist determined Annie Mae's mental age to be nine or ten, and the results of her I.Q. test caused officials to diagnose her as feebleminded. After being in Samarcand for two months, Robson recommended that Annie Mae be sterilized.¹⁰⁷ State officials could also prevent procreation by extending the sentences of the inmates. In the case of the Bon Air school for girls in Virginia, the State Board of Charities and Corrections maintained "Many of the girls . . . are feeble-minded and will need permanent custodial care at least until they have passed the child-bearing age."¹⁰⁸

¹⁰⁷ "Chronological History," 1935. "Chronological History, Recommendation for Sterilization, 1935," Box – Samarcand, SANC, Raleigh, NC.

¹⁰⁸ "Report of the State Board of Charities and Corrections on the investigation of the Virginia Home and Industrial School for Girls," "Folder 3 – Stuart, Henry C. – Executive Papers – Virginia Home and Industrial School for Girls – 1910-1915," Box 68, HCSP, LVA, Richmond, VA.

Most of the individuals marked for sterilization came from the state's carceral institutions for women. Eugenicists found that the racial suicide and breeding of a feeble-minded population pointed to a "girl problem." As women began challenging their chaste and obedient gender roles in the 1920s, eugenicists worried that these "new women" maintained an uncontrollable sexuality that threatened the United States politically, economically, and socially. To eugenicists these women who worked outside of the home, delayed or refused to marry, and found pleasure in expressing their new found sexuality needed to be controlled and prevented from breeding like-minded, or in this case, feeble-minded individuals.¹⁰⁹ Eugenics and sterilization, therefore, operated in tandem with social constructs of gender. The belief that women were the primary cause of problems with heredity, mental illness, and immorality led to a disproportionate number of females sterilized throughout the country. The South was no exception to the rule. In North Carolina, for example, out of 164 sterilizations performed in the state thirty-four men underwent the procedure while 130 women fell victim to compulsory sterilization. In the 55 years Virginia practiced sterilization, 60 percent of the 7,325 citizens who underwent the procedure were women.¹¹⁰

When it came to race, southern lawmakers aimed their eugenic campaigns as a way to preserve whiteness. According to Larson, white women fell victim to coercive sterilization

¹⁰⁹ Wendy Kline, *Building a Better Race: Gender, Sexuality, and Eugenics from the Turn of the Century to the Baby Boom* (Berkeley: University of California Press, 2005), 15.

¹¹⁰ Nell Battle Lewis, untitled, "Folder - Psychiatry and Crime," Box - PC 255.28 Social Welfare, 1922-1938, NBLP, SANC, Raleigh, NC. In Georgia, 54 percent of the 3,284 people sterilized before 1963 were women. Gregory M. Dorr, "Defective or Disabled?: Race, Medicine, and Eugenics in Progressive Era Virginia and Alabama," *Journal of the Gilded Age and Progressive Era* 5, no. 4 (October 2006): 382 and Largent, *Breeding Contempt*, 76-78. In Georgia, 54 percent of the 3,284 people sterilized before 1963 were women.

more often than black women. He notes that it was not until the civil rights movement began breaking down white control in the South did sterilization campaigns take aim at African Americans.¹¹¹ However, this does not mean to say that African Americans were not the victims of other forms of eugenic efforts, namely miscegenation laws that forbade marriage and procreation between whites and blacks.

While state officials and reformers believed that eugenics and sterilization provided the best and most affordable means for protecting society from mental and physical “defectives,” they also saw sterilization as a humanitarian effort that sought to benefit those being sterilized. Nell Battle Lewis, a progressive journalist and lawyer from North Carolina, pointed to a number of what she believed to be misconceptions surrounding the sterilization. The number one misunderstanding, she argued, was the belief that sterilization was the solution to behavioral problems, specifically sexual delinquency. She noted how this was an incorrect evaluation and that the population needed to stop associating sterilization with punishment.¹¹² In the hopes to garner support for eugenical sterilization, the Human Betterment Foundation listed several purposes behind the practice. According to the foundation, sterilization was not a punishment; instead it was a protection that prevented parenthood and in no way carried with it a “stigma or humiliation.” Nor was sterilization meant to “unsex” the person undergoing the procedure. They justified the operation by pointing out how no person underwent sterilization without the approval from medical staff, probation officers, and social workers who reviewed each case. Further, the foundation

¹¹¹ Larson, *Sex, Race, and Science*, 2.

¹¹² Nell Battle Lewis, untitled, “Folder - Psychiatry and Crime,” Box - PC 255.28 Social Welfare, 1922-1938, NBLP, SANC, Raleigh, NC.

argued that the procedure benefited the lives of those who received the surgery in a number of ways: “records show that many moron girls paroled after sterilization have married and are happy succeeding fairly well.” Without the stress of creating a mentally defective child, “homes are kept together by sterilization . . . permitting normal marital companionship.”¹¹³

To southern eugenicists in and outside of the medical profession, sterilization offered a unique venue to maintain social order and control. After all, eugenics and sterilization allowed for the scientific segregation of various classes in southern society, in this case segregating the “undesirable” criminal class from the rest of society. Eugenics and sterilization provided a venue in which to display the South’s modernization and progress. According to Dorr, “eugenic sterilization offered hope for a modern, scientific, and peaceful solution to endemic social tensions.” In this way, eugenics acted as a crossroads between the traditions of the “Old South” with the modernization of the “New South.”¹¹⁴

Conclusion

When southern physicians and state officials began viewing crime as a mental health and, therefore, a medical problem, carceral policy began to change in the region. Reformers in and outside of medicine turned to various public health campaigns as a way to eradicate crime and cut down on recidivism. As a consequence, medicine functioned as another arm of state control. It was in the realm of criminology that medicine gained substantial influence and power at the state level. The hygiene campaigns of the early twentieth century were progressive in nature in that they encouraged rigid standards of behavior that were based on

¹¹³ Ibid.

¹¹⁴ Dorr, *Segregation’s Science*, 2 & 7.

accepted societal norms. With the purpose of preventing mental illness and crime, mental hygiene stands as a shining example of progressive reform efforts in the early twentieth century.

In the same way, eugenics and sterilization were two campaigns in which doctors and psychiatrists gained influence over state policy making. The “science” behind eugenics and sterilization gave physicians a voice and platform within the body politic of the region while also granting southern lawmakers a unique opportunity to use modern science to preserve the region’s gender and racial traditions. It also brought eugenics and sterilization out from the margins of accepted “reform” theory and into mainstream legislative action. Eugenicists gained ground in their calls to sterilize criminal populations during the Great Depression as the state grew more concerned over the cost of segregation through institutionalization. However, economic strain led to an abandonment of more reform minded programs, such as classification and scientific training, by southern state officials who regressed back to nineteenth century punitive policies.

Chapter Three

Depression, Death, and a Little Arson: The Deconstruction of Progressive Reform in Southern Juvenile Institutions

In the winter of 1934/35, two young African American prisoners in Mecklenburg County, North Carolina, Woodrow Wilson Shropshire and Robert Barnes, became “crippled for life” after doctors amputated their feet because of a gangrenous infection that ravished their limbs. Weeks earlier, Shropshire, a nineteen year old who was serving a four-month sentence for drunkenness, requested to warm his feet by a nearby fire while working in a chain gang. After the guard refused, Shropshire did it anyway and officials “hung-up” the inmate as punishment. To be “hung up in solitary” meant that for eight to ten hours a day the prisoner’s arms were handcuffed to the bars of their cell with both hands extended out in front of them while their feet were shackled to the floor. Shropshire endured this state-sanctioned punishment for twelve days alongside another inmate, Barnes, a twenty year old serving a yearlong sentence for larceny. Whenever the two men would ask for a small fire to be built near their cell, the guards responded “Oh, damn them!” On a couple of occasions Barnes vomited on the floor and the guards were so irritated by this that they beat the prisoner while he was still handcuffed to the bars. Doctors did visit Shropshire and Barnes in the cell but made no recommendation to have them removed. Over the course of almost two weeks, both Shropshire and Barnes’s feet began to swell. Eventually their flesh started falling

away from the bone and infection overtook their limbs leaving doctors no choice but to amputate.¹

Nell Battle Lewis, a progressive North Carolinian journalist and lawyer considered this case to be “by far the worst” prison scandal North Carolina had seen in over ten years. Journalists followed what they coined the “Mecklenburg torture case” closely as five guards from the prison were put on trial for assault with a deadly weapon with intent to kill, neglect of duty, maiming, and torturing. The defense quickly blamed the prisoners for their lost appendages, arguing that it was the cloth Shropshire and Barnes placed in between their ankles and the shackles that restricted blood flow to their feet.² This ridiculous argument proved effective as two guards were acquitted of all charges while the judge reduced the charges of the remaining three. Journalists throughout the state wondered if the feet of Shropshire and Barnes represented the “price of progress;” maybe their “legs would be the price of a new and more merciful penological system in the State.”³ However, as the decade progressed it became clear that officials and staff maintained control over institutionalized citizens through corporal punishment and hard labor. Public outcry over abuses in carceral facilities influenced public welfare boards to launch investigations into the shortcomings of their state’s various institutions. These boards concluded that a lack of funding was largely to blame for carceral negligence. In the case of Shropshire and Barnes, the board determined

¹ Nell Battle Lewis, “Carolina Prison Probe Bares ‘Regime of Horror,’” *Richmond Times Dispatch*, 4 April 1935, “Folder - Prison System – NC,” Box - PC 255.28 Social Welfare, 1922-1938, NBLP, SANC, Raleigh, NC.

² Shropshire and Barnes wrapped their ankles with cloth to prevent the shackles from cutting into their skin.

³ “Crime: Price of Progress,” *Time*, 22 July 1935, “Folder - Prison System – NC,” Box - PC 255.28 Social Welfare, 1922-1938, NBLP, SANC, Raleigh, NC.

that underpaid personnel was the real culprit. The state contended, better people required more money, “which is hard to get now.” As a result, southern prisoners were at the mercy of “\$35-a-month sadists.”⁴

This chapter argues that 1930s represents a deciding moment in which carceral institution officials deserted progressive policies in favor of punitive reform. I contend that southern juvenile reform institutions began to fall apart during this decade for two main reasons. First, the economic hardship caused by the Depression left southern reform schools overcrowded and underfunded.⁵ The South’s economic problems were so apparent, that on July 4, 1938, President Franklin Delano Roosevelt stated “It is my conviction that the South presents right now the nation’s No. 1 economic problem.” He argued that a rejuvenation of the southern economy was critical to the overall national economic recovery.⁶ Over the last three decades, historians have come to show how the South and its institutions suffered significantly during the Great Depression. Historian Roger Biles notes that while southern officials “accepted federal funds” from Roosevelt’s New Deal, lawmakers did not see the need to surrender “southern custom, attitudes, and institutions.” Indeed, the Great Depression and Franklin Delano Roosevelt’s New Deal did little to inspire social welfare

⁴ Nell Battle Lewis, “Carolina Prison Probe Bares ‘Regime of Horror,’” *Richmond Times Dispatch*, 4 April 1935, “Folder - Prison System – NC,” Box - PC 255.28 Social Welfare, 1922-1938, NBLP, SANC, Raleigh, NC.

⁵ There were certainly alternatives that the state could employ, like early parole, which could have lessened the population of inmates in these institutions. Instead, they chose to house prisoners in overcrowded and underfunded facilities because the state insisted on maintaining control over their inmates. In many ways paternalism trumped common sense and decency.

⁶ Franklin Delano Roosevelt, “Message to the Conference on Economic Conditions of the South,” speech, July 4, 1938. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/?pid=15670> (accessed March 15, 2016).

among southern officials.⁷ Second, these juvenile detention institutions, which were initially built on a strong foundation of progressivism, abandoned progressive ideologies of reform turning instead to the use of corporal punishment to control institutionalized youth. These two aspects are not mutually exclusive. The meager state appropriations left many institutions in need of inexpensive manual laborers, which they found in their inmate population. As discontent among institutionalized youth increased, school officials, who worried about the growing inmate to personnel ratio, utilized corporal punishment as a way to keep control. Indeed, this chapter shows how key progressive carceral reforms unraveled during a decade that championed an unprecedented reform spirit.

Justin Miller, Dean of Duke University's Law School in 1934, acknowledged the progress made through the establishment of juvenile courts, orphanages, and other training schools during the previous two decades but lamented that the economic turmoil of the Depression yielded undesired results; "the present trend is not toward the development of agencies of this kind, but the breaking down of those which have been laboriously constructed." According to Miller, southern lawmakers indiscriminately dismantled existing "forms of discipline and education" and had trouble understanding and adapting to the modern problems facing youth in their society. Instead of blaming the children for juvenile

⁷ Roger Biles, "The Urban South in the Great Depression," *The Journal of Southern History* 56, no. 1 (February 1990): 86. Historians have uncovered the complicated relationship between southern traditionalists and the New Deal. Conservatives accepted some New Deal programs, most notably ones that assisted the region's agricultural industry. However, they feared the racial liberalism of the New Deal even though few of Roosevelt's initiatives sought to assist African Americans. For more on the New Deal and southern agriculture see Pete Daniel, *Breaking the Land: The Transformation of Cotton, Tobacco, and Rice Cultures since 1880* (Urbana: University of Illinois Press, 1986); Gilbert Courtland Fite, *Cotton Fields No More: Southern Agriculture, 1865-1980* (Lexington: University Press of Kentucky, 1984) and Gavin Wright, *Old South, New South: Revolutions in the Southern Economy since the Civil War*, (Baton Rouge: Louisiana State University Press, 1996).

delinquency, Miller argued, it was time to accept how youth were the “victims” of the older generation’s “inadequacy” in recognizing the modern dilemmas facing children of that day.⁸ This disconnect between southern lawmakers, modernizing youth culture, and reformers, Miller contended, led to a breakdown of southern institutions.

Throughout the 1930s, reports of poor conditions and abuse within southern juvenile reform schools began to surface, causing a crisis of confidence among parents, citizens, and reformers in the region. The faith and enthusiasm they had in southern institution building during the 1910s and 1920s disappeared in the decade of the Depression.⁹ Citizens began questioning their confidence in the state and their methods of reforming “wayward” children as reports of abuse and hazardous conditions began to surface; both were products of the region’s strained coffers and the abandonment of progressive rehabilitation. As a result, many families wrote letters to state officials asking for either the release of their loved ones or for the state to implement radical policy changes.

⁸ Justin Miller, “The Program of Juvenile Protection in North Carolina,” 1934, 1-2, “Folder - Rotary International Club Juvenile Court Survey (proposed), 1933-1934,” Rotary International-Raleigh Rotary Club Records (RCR), SANC, Raleigh, NC.

⁹ Prior to the 1930s, many parents often encouraged the institutionalization of their unruly daughters. Historians Pippa Holloway and Mary Odem both discuss how parents often resorted to having their daughters arrested when they deemed them to be out of their control. Odem, in her book *Delinquent Daughters: Protecting and Policing Adolescent Female Sexuality in the United States, 1885-1920* (Chapel Hill: University of North Carolina Press, 1995), argues that when sexual mores changed in the early twentieth century, parents “became active participants within the legal system” by using the juvenile courts as an alternative method to control their daughters’ sexuality. Holloway’s *Sexuality, Politics, and Social Control in Virginia, 1920-1945* (Chapel Hill: University of North Carolina Press, 2006) points out that parents often used the state to apprehend and punish their daughters when they acted out.

This chapter is comprised of three sections, each of which examines challenges that confronted southern institutions during the 1930s.¹⁰ Two of these sections serve as case studies and discuss scandal surrounding alleged state neglect and abuse of juvenile inmates during the decade. The Samarcand arson trial and the death of Raymond Tefteller were two incidents that fueled new debate over the efficacy of southern institutions, in addition to engendering a distrust of southern carceral policy. The third section discusses more broadly the challenges southern juvenile reform schools endured because of meager state appropriations during the Great Depression. Although institutional funding decreased, the number of incarcerated youth increased, putting further strain on a financially fragile system. Although the poor economic conditions of the region remained outside of the control of school officials, the public still expressed growing concern over the safety of institutionalized youth and continued to criticize the way various state governments appropriated money towards institutional improvements. Taken together, these three sections show a clear departure from the progressivism of southern institution building that existed in the previous two decades.

The Samarcand Arson Trial

Samarcand Manor, North Carolina's training school for girls, became the focus of conversation and scandal when, on March 12, 1931, two residential buildings on the campus caught fire. Sixteen of Samarcand's inmates, ranging from 13 to 19 years old, were charged

¹⁰ This chapter will highlight incidents that occurred in Alabama, North Carolina, and Virginia as the most sensationalized cases occurred in these states. There were other scandals that occurred in other states throughout the region, namely Texas and Tennessee, but they did not receive the same media coverage as the Samarcand arson trial and the death of Raymond Tefteller.

with arson, a capital offense in North Carolina. Newspapers and citizens of the state watched the trial closely, offering their opinions as to why a group of young white women would have committed such a crime. According to historian Susan Cahn, the Samarcand arson case distracted North Carolina citizens from some of the worst times of the Great Depression and left the public “enthralled” with the case.¹¹ But the trial uncovered much more than expected. While the girls under question received considerable media attention, their allegations of poor conditions and reports of abuse at Samarcand Manor took center stage.

Nell Battle Lewis, a native North Carolinian progressive, journalist, and lawyer, acted as the girls’ defense attorney. Lewis was the outspoken writer of the column “Incidentally” in the *Raleigh News and Observer* and she used this platform to discuss a wide range of topics including women’s rights, working conditions, academics, and carceral reform.¹² According to Cahn, Lewis vehemently contested the ideals of the “southern lady,” and in one 1925 column seemed to foreshadow the Samarcand case by stating that the rights of women in the South would progress faster by “a smashed window or two and a little arson.”¹³ Lewis also used her column to challenge the practice of corporal punishment and the death penalty. Because of her rejection of “traditional” southern womanhood and stance against corporal punishment, the Samarcand arson trial was the perfect venue for Lewis’s first major case, as

¹¹ Susan K. Cahn, *Sexual Reckonings: Southern Girls in a Troubling Age* (Cambridge, Mass.: Harvard University Press, 2007), 43.

¹² Alexander Leidholdt, *Battling Nell: The Life of Southern Journalist Cornelia Battle Lewis, 1893-1956* (Baton Rouge: Louisiana State University Press, 2009), 2; Cahn, *Sexual Reckonings*, 51.

¹³ Cahn, *Sexual Reckonings*, 51.

she saw it as an opportunity to take on what she believed to be the unfair practices and conditions of North Carolina's penal institutions.¹⁴

Lewis mounted an affirmative defense that focused on the negligence of the state. The sixteen "firebugs," as local newspapers liked to call them, justified their actions with several reasons, all of which pointed to their desire to be incarcerated anywhere but Samarcand Manor, where, they argued, officials practiced severe forms of corporal punishment under the guise of reform. The girls also aired their grievances about the cruelty of the staff and their failure to quarantine inmates infected with sexually transmitted diseases (STDs).¹⁵ The allegations that surfaced during the trial stood as a clear departure from its progressive image in the 1920s. During the previous decade, Samarcand expanded with the addition of six new buildings and hundreds of inmates, as well as in notoriety, often referred to as "far in advance of the programs being carried on in most states."¹⁶ Almost a decade before the fire, the North Carolina Board of Charities and Public Welfare reported, "contrary to popular conception, there are no 'fallen women' at Samarcand Manor. Rather, there is a crowd of clean, bright-looking, healthy girls."¹⁷ However, as the Depression continued officials recognized that the economic turmoil of the decade caused an influx of juveniles in state

¹⁴ "Twelve Samarcand Girls Get State Prison Terms," *The News and Observer*, 21 May 1931, "Folder - Samarcand Arson Case," Box - PC 255.29 Material for "Incidentally" Samarcand Arson Case, NBLP, SANC, Raleigh, NC.

¹⁵ The record only indicates that the majority of girls at Samarcand had STDs, but it did not provide a percentage.

¹⁶ "50th Anniversary: Samarcand Manor," Pamphlet, 1968, "Samarcand 50th Anniversary History Pamphlets," Box - Samarcand, SANC, Raleigh, NC.

¹⁷ North Carolina State Board of Charities and Public Welfare, "Samarcand Like Well Run Boarding School," *Public Welfare Progress*, Volume 4 no. 7, November 1923, 2, "Psychiatry and Crime," Box - PC 255.28 Social Welfare, 1922-1938, NBLP, SANC, Raleigh, NC.

institutions, especially female youth who turned to prostitution as a way to earn money needed to survive.¹⁸

Because of a shortage of funds, Samarcand lacked the staff necessary to fulfill its reform goals through progressive curricula, turning instead to antiquated methods of physical punishment as a means of control. The result was a hopelessness felt among the institution's inmates and a strong desire to expose various abuses within North Carolina's penal system, shedding a public light on the state's failure to modernize. The girls of Samarcand realized that no matter what progress they made as inmates, they could never gain the merits necessary for parole or escape physical punishment. As Cahn explains, the records from the school illuminate how "the quickest route out of Samarcand was not reform but defiance."¹⁹

Lewis wrote about the Samarcand case on a couple of occasions in her column, describing the institution more as a penitentiary than a reform school. Her sympathy for the inmates was obvious as she detailed accounts of harsh policy and treatment. Parents of inmates, for example, could only visit their children for a brief amount of time, usually for just a few minutes. One inmate, who was arrested for "delivering papers through the city in early mornings," had two blind parents she needed to support. After her arrest and sentencing to Samarcand, her father hired a driver to transport him over 100 miles to visit his daughter in the school. Once he arrived, he could only meet with her outside in the cold for 15 minutes at which time school officials forced the man to leave. Letters home to family gave equally troubling descriptions of rules and punishments administered at Samarcand.

¹⁸ James K. Hall, M.D., "The Community's Responsibility for the Mentally Sick," pamphlet, Richmond, VA, 1936, "Folder - Psychiatry and Crime," Box - PC 255.28 Social Welfare, 1922-1938, NBLP, SANC, Raleigh NC.

¹⁹ Cahn, *Sexual Reckonings*, 64-65.

After describing the harsh reprimands conducted by the staff, one inmate wrote to her family, “I’ve come to wonder if there is a God or did someone just start that story.” Yet another girl wished for the opportunity to show the president of the United States the lash marks that covered her back and thighs.²⁰

Lewis found the reasons inmates were whipped to be trivial. Elsie Clinard, a girl no older than seven, was beaten repeatedly for bed-wetting. Ora Stanley received physical punishment for being caught with a pair of tweezers, which she only used to pick bed bugs out of her blankets. Etta Mae Jones and Mildred Butler had their hair cut down to their scalp after they stepped outside of their dorm when they were not supposed to. Although parents received these detailed accounts through letters and conversations with their incarcerated daughters, Lewis noted that they worried what school officials would do to their children if they openly criticized the strict policies of the institution. Lewis urged the state to perform an investigation of Samarcand, “to whom we have entrusted them ‘to kill or cure.’”²¹

The hopelessness felt by the inmates of Samarcand extended to their families. The financial stress caused by the Depression often led parents to call on the state for assistance in their child’s care. In other instances parents looked to the state as a solution to rein in their daughters’ unruly behaviors. These two avenues leading to incarceration, combined with traditional arrests made by law enforcement, led to an overcrowding of juvenile reform

²⁰ Nell Battle Lewis, “Material for ‘Incidentally,’” “Folder - Samarcand Arson Case,” Box - PC 255.29 Material for “Incidentally” Samarcand Arson Case, NBLP, SANC, Raleigh, NC.

²¹ Ibid. Lewis does not explain what she means by “kill or cure.” The document highlights the questionable practices of Samarcand and in the end Lewis calls on the state to investigate these institutions. From this document it is safe to assume that Lewis believes the state has the power to rehabilitate these girls into “upstanding” citizens, but acknowledges that the state can also fail these inmates, eventually releasing them back into society with even more angst for authority than before.

schools in the 1930s. Although many of the parents had agreed to or encouraged the institutionalization of their daughters, they did not anticipate the level of power the state threw behind punitive reform. The result was a struggle between the girls' biological parents and the paternalism of North Carolina's carceral system. When asked "what is the underlying assumption of the Juvenile Court" in the state, the North Carolina Board of Charities and Public Welfare stated, "The court's function is parental. The court should proceed as does a wise parent."²² With this admission of paternalism, the state operated with unchecked authority, resorting to physical punishment as its primary mode of discipline.

The girls on trial for arson confirmed a number of retributive instances by sharing their own experiences during the trial. Margaret Abernethy was sixteen at the time of the fires. She was sent to Samarcand, not because of a crime she committed, but because of an act her father committed against her; Abernethy's father raped her two to three times a week for three years until her stepmother walked in on the crime. Both Abernethy and her father were arrested and committed to state institutions. According to the young girl, during her 29-month confinement at Samarcand, school officials whipped her four times, twice for trying to run away and twice for being rude to the staff. She did confess to starting a fire in Chamberlin Hall, the building officials used to carry out punishment, but this attempt was soon discovered and extinguished.²³ Margaret Pridgen, fifteen years old and committed to

²² North Carolina State Board of Charities and Public Welfare, "A Square Deal for the Child," pamphlet, "Folder – State Division of Juvenile Courts (proposed), 1930," SANC, Raleigh, NC.

²³ Nell Battle Lewis, "Background on Margaret Abernethy," 1931, "Folder - Samarcand Arson Case," Box - PC 255.29 Material for "Incidentally" Samarcand Arson Case, NBLP, SANC, Raleigh, NC; "Defense Holds Samarcand Girls Victims State Neglect," *The News and Observer*, May 20, 1931, "Folder - Samarcand Arson Case," Box - PC 255.29 Material for "Incidentally" Samarcand Arson Case, NBLP, SANC, Raleigh, NC. Also see Alexander

Samarcand for “being mean,” confessed to starting the fire that eventually consumed Chamberlin Hall.²⁴ As for her motive, Pridgen stated, “I didn’t want to stay in Chamberlin. I wanted to go to an honor cottage, but they wouldn’t send me. I was looking for a whipping the next day anyway. I thought they would send me home.”²⁵ Not only did Pridgen freely admit to committing arson, she made it clear that she would do it again. Pridgen was desperate to free herself, by any means necessary, of the state’s attempts to “reform” her.²⁶

In the case of Pridgen, North Carolina courts predicted future criminal tendencies based on her “mean” disposition, a trait unbecoming of femininity. Abernethy was arrested, despite her victimhood, because of the incestuous actions of her father. No matter the reason behind their commitment, any inmate could find themselves at the receiving end of the state’s whip, as there was no law banning whipping in juvenile institutions.²⁷ The paternal carceral state punished indiscriminately, which led not only to a criticism of the system, but also the feeling of hopelessness among the inmates. In order to expose the flaws of the

Leidholdt, *Battling Nell: The Life of Southern Journalist Cornelia Battle Lewis, 1893-1956* (Baton Rouge: Louisiana State University Press, 2009).

²⁴ Nell Battle Lewis, “Background on Margaret Pridgen,” 1931, “Folder - Samarcand Arson Case,” Box - PC 255.29 Material for “Incidentally” Samarcand Arson Case, NBLP, SANC, Raleigh, NC.

²⁵ Ibid.

²⁶ “Says She Caused \$200,000 Blaze,” 24 March 1931, “Folder - Samarcand Arson Case,” Box - PC 255.29 Material for “Incidentally” Samarcand Arson Case, NBLP, SANC, Raleigh, NC.

²⁷ Corporal punishment was not banned from juvenile institutions until after the Samarcand arson incident in May 1931. North Carolina’s legislature forbade the practice upon the recommendation of the State Board of Charities and Public Welfare who began investigating Samarcand during the arson trial. “Board of Samarcand Bans Whipping of Girl Inmates,” *The News and Observer*, May 31, 1931, “Folder - Samarcand Arson Case,” Box - PC 255.29 Material for “Incidentally” Samarcand Arson Case, NBLP, SANC, Raleigh, NC.

establishment, these girls felt as though their only means of recourse was through the physical destruction of the building used to enforce state control.

The use of corporal punishment through whippings garnered much attention during the trial. But Lewis realized that it would be difficult to convince a judge of these atrocities using the statements of “fallen” girls housed at Samarcand. For this reason, Lewis interviewed a number of staff members who left the institution on their own volition. Viola Sistae, a nurse at Samarcand for seven months, treated one inmate after she received a whipping. After the girl left her office, two other teachers stopped the child, asking to see her marks. When she lifted her shirt to show them, one of the teachers fainted. Shortly after this incident, the secretary for Superintendent Agnes McNaughton asked Sistae to provide medication, “something to make a girl quiet after beating her . . . something to calm her nerves.” When one girl came for treatment after a beating, the lash marks were so deep that they bled and the child could not sit down. Sistae allowed the girl to sleep in an office on campus, but when McNaughton came looking for the inmate the next day, she reprimanded Sistae, accusing the nurse of spreading “the report of the child’s condition all over the institution.”²⁸ This testimony revealed McNaughton’s desire to conceal any evidence of brutality.

Samarcand also faced a number of complaints when it came to the health conditions and exposure to disease among the inmates. Witnesses testified to repeated beatings and the

²⁸ “Statement of Viola Sistae,” 21 March 1931, “Folder - Samarcand Arson Case,” Box - PC 255.29 Material for “Incidentally” Samarcand Arson Case, NBLP, SANC, Raleigh, NC.

“forced association between the diseased and the healthy.”²⁹ Bessie Bishop, a nurse at the school for eleven months, witnessed girls free of STDs using the same bathtubs, toilets, and clothes as those with the illnesses. She proposed the segregation of girls with gonorrhea and syphilis from healthy inmates to the school’s administration. The officials responded by stating that was “the most absurd thing they ever heard” and “that it was perfectly O.K. for them to be together.” This troubled Bishop as she witnessed on a number of occasions girls who came to the institution without gonorrhea and syphilis, leaving the school infected. On another occasion, the physician for Samarcand asked Bishop to isolate an inmate with diphtheria from the rest of the school’s population. When McNaughton discovered this, she stated “I don’t care for Doctors orders. I will not stand for that at all.” Bishop then reported that school officials would lock other girls in a confined room with this sick inmate as yet another form of punishment. In a similar statement, Sistae reported that the school would punish the girls by forcing them into a room with another inmate, one she classified as a “feeble minded creature” who had severe body odor and practiced masturbation on herself and other children. For these reasons and more, both Sistae and Bishop left Samarcand at the end of their terms.³⁰

The existence of STDs in a girl often acted as enough “proof” for the state to sentence young women to institutions. However, once on the inside, school officials, instead of adhering to their goal of “cleansing” girls through progressive rehabilitation, took no

²⁹ “Bad Conditions at Samarcand,” *The Chapel Hill Weekly*, 29 May 1931, “Folder - Samarcand Arson Case,” Box - PC 255.29 Material for “Incidentally” Samarcand Arson Case, NBLP, SANC, Raleigh, NC.

³⁰ “Statement of Bessie Bishop, R.N.,” 1 April 1931, “Folder - Samarcand Arson Case,” Box - PC 255.29 Material for “Incidentally” Samarcand Arson Case, NBLP, SANC, Raleigh, NC.

preventative measures in segregating the sick from the healthy. Further, they used this exposure as a form of punishment, knowingly subjecting girls to the very diseases that often justified incarceration, and forever marking them as “unclean.”

The integration of healthy and sick inmates represented a clear departure from progressive ideology upon which the school was founded. Throughout the late nineteenth and early twentieth century, progressive reformers took on a two-pronged platform that sought to eradicate prostitution and the spread of STDs in order to cleanse society both physically and morally. Their efforts succeeded in the 1920s when many states, including North Carolina, launched ambitious educational projects and clinical resources to treat and prevent STDs.³¹ Progressives saw prostitution and STDs as a direct attack on public health and morality and often encouraged the segregation of women sick with gonorrhea and syphilis from the rest of the population. The Samarcand arson case exposed a blatant deviation from these principles as school officials intentionally exposed healthy children to disease as punishment.

State newspapers more often than not placed the responsibility for the fires on the shoulders of the school and the state rather than the girls themselves: “Something made these children come to the point of revolt and frenzy. It must have been something extraordinary to

³¹ The success of these campaigns can also be attributed to the concern over soldiers contracting venereal disease during World War I. For more see William A. Link, *The Paradox of Southern Progressivism, 1880-1930* (Chapel Hill: University of North Carolina Press, 1992), 228-229; Nancy K. Bristow, *Making Men Moral: Social Engineering during the Great War* (New York: New York University Press, 1996) and Judith N. McArthur, *Creating the New Woman: The Rise of Southern Women's Progressive Culture in Texas, 1893-1918* (Urbana: University of Illinois Press, 1998), 85-86. For a discussion on controlling female sexuality during World War II see Marilyn E. Hegarty, *Victory Girls, Khaki-wackies, and Patriotutes: The Regulation of Female Sexuality during World War II* (New York: New York University Press, 2010).

have raised such a spirit of rebellion.”³² Lewis successfully portrayed the sixteen girls as victims of a neglectful, modern society and abusive carceral state. According to *The Chapel Hill Weekly*, “the character of these girls does not excuse in the slightest degree the outrageous conditions at Samarcand.”³³ *The Greensboro News* insisted that they were not so much interested in the trial of the “firebugs” but rather “the case which was made out against society, against the state of North Carolina.” They continued by stating that it would be difficult for citizens “to decide whether the state was the prosecutor or defendant.”³⁴ The *Rocky Mt. Telegram* reported that the conditions represented “the most serious indictment of North Carolina’s correctional system . . . it is a serious challenge to the state.”³⁵ Similarly, members of the Samarcand community expressed feelings of guilt over the incarceration of North Carolinian girls: one reporter argued that the girls “haven’t had a chance at anything else since they were born. They’ve been headed for the penitentiary all their days and God help the rest of us, because no one stepped in before it was too late.”³⁶

³² “Bad Conditions at Samarcand,” *The Chapel Hill Weekly*, 29 May 1931, “Folder - Samarcand Arson Case,” Box - PC 255.29 Material for “Incidentally” Samarcand Arson Case, NBLP, SANC, Raleigh, NC.

³³ Ibid.

³⁴ “The State as Defendant,” *The Greensboro News*, 21 May 1931, “Folder - Samarcand Arson Case,” Box - PC 255.29 Material for “Incidentally” Samarcand Arson Case, NBLP, SANC, Raleigh, NC.

³⁵ “North Carolina Falls,” *Rocky Mt. Telegram*, “Folder - Samarcand Arson Case,” Box - PC 255.29 Material for “Incidentally” Samarcand Arson Case, NBLP, SANC, Raleigh, NC.

³⁶ “Twelve Samarcand Girls Get State Prison Terms,” *The News and Observer*, 21 May 1931, “Folder - Samarcand Arson Case,” Box - PC 255.29 Material for “Incidentally” Samarcand Arson Case, NBLP, SANC, Raleigh, NC.

Despite winning over many of North Carolina's newspapers and citizens, Lewis's tactics did not work on Michael Schenck, the judge overseeing the case. The girls themselves did not help their cause, either. While awaiting trial, a number of the inmates rioted, setting fire to the county jails in which they were held and attacking the guards and firemen with pocket knives.³⁷ Schenck reminded the girls that "the State was stronger than they" before sentencing twelve of the sixteen inmates to the state penitentiary for indeterminate sentences of eighteen months to five years.³⁸ The girls were housed above "Death Row," the only fireproof section of the state prison. During the trial, Lewis asked Schenck what he intended to do with Wilma Owens, one of the accused whose charges were dismissed. Schenck stated that he was placing Owens in Lewis's custody in which she responded, "But Judge, I don't know what to do with her." Schenck asked Lewis to "multiply your problem by sixteen and you will have a conception of my dilemma."³⁹

On the one hand, the girls' gender and age prevented them from experiencing the full weight of punishment prescribed by North Carolina law. Instead of receiving the death penalty, the courts sentenced the "firebugs" to eighteen months to five years in prison. In this way, their southern womanhood protected them; one newspaper stated, "Of course if

³⁷ "Samarcand Girls Riot in Moore County Jail," *Moore County News*, 30 April 1931, "Folder - Samarcand Arson Case," Box - PC 255.29 Material for "Incidentally" Samarcand Arson Case, NBLP, SANC, Raleigh, NC.

³⁸ The court dismissed the charges against the remaining four inmates. "Twelve Samarcand Girls Get State Prison Terms," *The News and Observer*, 21 May 1931, "Folder - Samarcand Arson Case," Box - PC 255.29 Material for "Incidentally" Samarcand Arson Case, NBLP, SANC, Raleigh, NC.

³⁹ "Samarcand Girls Are Quietly Awaiting News of Their Fate," *Moore County News*, 7 May 1931, "Folder - Samarcand Arson Case," Box - PC 255.29 Material for "Incidentally" Samarcand Arson Case, NBLP, SANC, Raleigh, NC.

they were men, we would know how to deal with them. But we cannot be rough with them.”⁴⁰ On the other hand, their apparent rejection of submissiveness associated with southern femininity led to a harsher sentencing than boys who committed similar acts of arson. In an apparent “boys will be boys” reaction by the courts, one inmate who confessed to setting fire to a cottage at the Stonewall Jackson Training School was sentenced to one year in the state penitentiary.⁴¹

Lewis’s strategy to highlight the questionable practices at Samarcand paid off in other ways. Shortly after the trial, the State Board of Charities and Public Welfare banned the use of corporal punishment at Samarcand Manor. The board argued that although three out of eleven similar institutions in the United States employed whippings, it was in the best interest of those involved to abolish the practice at Samarcand. Instead, they recommended isolation and restricted diets as the primary system of reprimand. They also recommended that the staff at Samarcand keep a written record of punishments administered at the school. The board of managers for the institution agreed to put these recommendations into effect “as promptly as practicable in view of limited financial resources.”⁴²

The Samarcand arson trial uncovered legitimate concerns about North Carolina’s carceral state. Its outdated punitive practices departed significantly from the institution’s

⁴⁰ “Samarcand Girls Go On Another Jail Rampage,” *News and Observer*, 1 May 1931, “Folder - Samarcand Arson Case,” Box - PC 255.29 Material for “Incidentally” Samarcand Arson Case, NBLP, SANC, Raleigh, NC.

⁴¹ “Young Firebug Gets One Year,” *Charlotte Observer*, 22 April 1931, “Folder - Samarcand Arson Case,” Box - PC 255.29 Material for “Incidentally” Samarcand Arson Case, NBLP, SANC, Raleigh, NC.

⁴² “Board of Samarcand Bans Whipping Girl Inmates,” *News and Observer*, 31 May 1931, “Folder - Samarcand Arson Case,” Box - PC 255.29 Material for “Incidentally” Samarcand Arson Case, NBLP, SANC, Raleigh, NC.

progressive beginnings. The mission of Samarcand was to reform and rehabilitate the state's "wayward" girls through progressive methods and curricula but the economic strain imposed by the Depression left the institution without the necessary resources to fulfill its goals. Instead, officials turned to bizarre and brutal punishments that sought to cement the state's power and control over institutionalized youth. School officials did not anticipate, however, the spirited rebellion of its inmates nor the public backlash over the institution's punitive methods. The result was a criticism of a southern paternalism that, despite its progressive rhetoric in the beginning, had refused to modernize by the 1930s.

The Death of Raymond Tefteller

Southern governments often embraced a paternalistic attitude towards their juvenile populations, which created a contentious tug and pull relationship between the citizens of the region and its institutions. In the early to mid twentieth century, for example, Alabama law granted state officials the right to act in *loco parentis*, or in place of parent, on behalf of maladjusted youth. Despite the state's intention to transform troubled youth into upstanding citizens, they maintained a confused, complicated, underfunded, and overwhelmed paternalistic social welfare structure in which many children fell through the cracks. The corrections system was too overcrowded with new charges to be able to give each child the individual attention that progressive methods of reformation recommended. School officials, frustrated and significantly outnumbered by inmates, turned to forceful rehabilitation through corporal punishment.

Raymond Tefteller, a 15-year-old white boy from Florence, Alabama, became an inmate at the State's Boys Industrial School for white boys on June 24, 1938. Less than a

month later, on July 20, Tefteller ran away with L.E. Anderton, another inmate. They were apprehended the same day and returned to the school. Over the course of the following week, Tefteller complained of feeling ill and was sent to the hospital. By the end of the week, he was dead. His mother, Helen Tefteller, blamed authorities at the institution for beating her son to death. Upon this accusation, Governor Bibb Graves, who was an ex-officio board chairman for the institution, launched an investigation to find out how and why the young boy died.⁴³ Much like the Samarcand arson case, the controversial death of the young boy brought attention to the use of corporal punishment in southern juvenile reform institutions.

Helen Tefteller hired private local physicians to examine her son's body, all of who concluded that Tefteller experienced horrific physical punishment before he died. However, just as many state-sanctioned autopsy reports denied any signs of physical abuse, and instead, attributed the alleged injuries to self-affliction and the effects of embalming.⁴⁴ The private autopsies noted the appearance of injuries caused by blunt instruments prior to death. Dr. L.C. Ellis noticed a number of disturbing marks on Tefteller's body. Not only was he undernourished, but he also had swelling of his right ear, bruises on his abdomen and hips, damage to his penis, displacement of one testicle, lacerations down his back, and a bulging over

⁴³ "Graves Orders Probe of Death," *The Tuscaloosa News*, 3 August 1938; Sworn Statement of L.E. Anderton, August 3, 1938, "Folder 1 – Alabama Boys Industrial School at East Lake 1934- Jan 1939," Box SG12155, State Institution Files (SIF) – Governor (1935-1939: Graves), ADAH, Birmingham, AL.

⁴⁴ R.A. Hamrick to W.R. Chisholm Jr, "Folder 1 – Alabama Boys Industrial School at East Lake 1934- Jan 1939," Box SG12155, SIF – Governor (1935-1939: Graves), ADAH, Birmingham, AL.

his left kidney.⁴⁵ Dr. W.C. Moore was particularly disturbed by the swelling of the young boy's scrotum, an injury, the doctor maintained, the boy received prior to his death.⁴⁶

Coroner W.R. Chisolm noted several red lashes across Tefteller's body, measuring one and a half inches in width and seven inches in length. Most of the autopsies showed that his injuries had already begun healing, which, due to the lack of circulation, could not have occurred post-mortem.⁴⁷ Dr. T.L. Bennett Jr., a physician from Florence, Alabama, confirmed these observations and stated, "In my opinion, the boy was beaten to death."⁴⁸ State officials also voiced their concerns over Tefteller's passing. After viewing the boy's body, State Representative George Bliss Jones wrote to Governor Graves, "I am not a doctor nor do I pretend to be in any way familiar with the many ills that beset us; however, from a layman's standpoint and from observation, it appears that this boy was beaten brutally before he died."⁴⁹

⁴⁵ L.C. Ellis M.D., report, 6 August 1938, "Folder 1 – Alabama Boys Industrial School at East Lake 1934- Jan 1939," Box SG12155, SIF – Governor (1935-1939: Graves), ADAH, Birmingham, AL.

⁴⁶ W.C. Moore, M.D., "Report of Examination of Body of Raymond Tefteller," 2 August 1938, "Folder 1 – Alabama Boys Industrial School at East Lake 1934- Jan 1939," Box SG12155, SIF – Governor (1935-1939: Graves), ADAH, Birmingham, AL.

⁴⁷ W.C. Moore, M.D., "Report of Examination of Body of Raymond Tefteller," 2 August 1938, "Folder 1 – Alabama Boys Industrial School at East Lake 1934- Jan 1939," Box SG12155, SIF – Governor (1935-1939: Graves), ADAH, Birmingham, AL; "Autopsy Report, Case No. AG-38-9, "Folder 1 – Alabama Boys Industrial School at East Lake 1934- Jan 1939," Box SG12155, SIF – Governor (1935-1939: Graves), ADAH, Birmingham, AL.

⁴⁸ "Boy Beaten to Death at State School?," *Daytona Beach Morning Journal*, 3 August 1938.

⁴⁹ Representative George Bliss Jones to Governor Bibb Graves, 2 August 1938, "Folder 3 – Alabama Boys Industrial School at East Lake 1934- Jan 1939," Box SG12155, SIF – Governor (1935-1939: Graves), ADAH, Birmingham, AL. I have combed through archival

The nurses at Hillman Hospital, where Tefteller was admitted after claiming to feel ill, contended that the bruising around his hips was caused by the restraints the hospital staff needed to use to prevent him from scratching himself.⁵⁰ The nurses noted that he maintained a dangerously high fever ranging from 102 to 105 degrees while he was in the hospital. The doctors who treated him insisted that he died from an “entrance into his blood of a very virulent disease germ known as the hemolytic *Staphylococcus aureus*.” In other words, an infection in the blood stream led to the poisoning of the young boy’s heart and kidneys.⁵¹

With about half of the autopsies showing evidence of physical abuse and others denying any indications of mistreatment, Governor Graves proceeded to make inquiries to see if the students witnessed any official at the school physically abusing Tefteller. Solicitor R.J. Simpson, an investigator in the case, conducted a number of interviews inside and outside of the institution. L.E. Anderton’s, the boy who ran away with Tefteller, provided testimony central to the investigation, but in the end “threw little light on the case.”⁵² While being interviewed by Simpson, Anderton claimed that when officials apprehended him in the town, Carl Reeves, a local authority, struck Anderton in the face, causing the young boy to

records and secondary sources to figure out why Representative Jones took such a strong interest in the Tefteller case. None of these sources have yielded an explanation.

⁵⁰ The day Raymond went to the hospital, he showed Anderton a rash developing all over his body that the young boy continually scratched.

⁵¹ George S. Graham, M.D., “Comment,” 1938, “Folder 2 – Alabama Boys Industrial School at East Lake 1934- Jan 1939,” Box SG12155, SIF – Governor (1935-1939: Graves), ADAH, Birmingham, AL; E.W. Jackson, “Report on Raymond Tefteller,” 3 August 1938, “Folder 1 – Alabama Boys Industrial School at East Lake 1934- Jan 1939,” Box SG12155, SIF – Governor (1935-1939: Graves), ADAH, Birmingham, AL.

⁵² “State Toxicologist Makes Examination of Boy’s Body,” *The Florence Times*, 6 August 1938.

bleed and fall down. However, he later denied ever seeing the officers hit Tefteller. This part of Anderton's story contradicted the testimony of two townspeople who witnessed the arrest. Mrs. A.R. Nunn and Mr. Morgan M. Mabry, watched as officials captured Anderton and Tefteller and both stated that they saw officials strike the larger of the two boys (Tefteller) in the side, "which almost doubled the boy up."⁵³ Anderton continued by stating that upon returning to the school, he never witnessed or heard Tefteller complain about getting whipped. When Simpson asked Anderton about any mistreatment at the hands of school officials, Anderton's responses became indecisive as he repeatedly answered with "I don't know." He did state, however, that an overseer slapped Tefteller to the ground when he could not stand up straight during drills. Simpson was suspicious of the boy's statements and asked Anderton, "They have scared you about talking haven't they?"⁵⁴ When Simpson assured the boy that he would be protected and that he and the judge "simply want to get at the truth," Anderton stated "Well, they'd whip the boys pretty hard when they'd catch them running off."⁵⁵

While corporal punishment appeared front and center in both the Samarcand arson trial and the death of Raymond Tefteller, the public reacted to the use of whipping at these

⁵³ "E.W. Jackson, "Report on Raymond Tefteller," 3 August 1938, "Folder 1 – Alabama Boys Industrial School at East Lake 1934- Jan 1939," Box SG12155, SIF – Governor (1935-1939: Graves), ADAH, Birmingham, AL.

⁵⁴ Interview of L.E. Anderton by Solicitor R.J. Simpson, 5 August 1938, 5, "Folder 1 – Alabama Boys Industrial School at East Lake 1934- Jan 1939," Box SG12155, SIF – Governor (1935-1939: Graves), ADAH, Birmingham, AL.

⁵⁵ Despite this admission, Anderton provided sworn statements against accusations of beatings. Interview of L.E. Anderton by Solicitor R.J. Simpson, 5 August 1938, 7, "Folder 1 – Alabama Boys Industrial School at East Lake 1934- Jan 1939," Box SG12155, SIF – Governor (1935-1939: Graves), ADAH, Birmingham, AL.

institutions differently because of gender. For example, the public was outraged by the use of corporal punishment on female inmates at Samarcand. However, the reaction shifted when boys at the Industrial School in Alabama received the same punishment. Instead of contesting the use of whipping, Alabama's citizenry challenged the degree to which the punishments were carried out. This change in tone suggests a gendered bias in the tolerance the public afforded such methods. The beating of white girls directly challenged the perception of southern male chivalry and therefore needed to be eradicated. However, this same punitive method was seen as necessary in rehabilitating "wayward" boys into law-abiding citizens.

This is not to suggest a universal tolerance of whipping young male inmates in southern institutions. Indeed, some judges, like Judge Camille Kelley, a female judge in the Memphis juvenile courts, vehemently opposed corporal punishment in carceral institutions. She argued "spanking is the lazy way, the antiquated way. . . it is not the scientific or advanced method." To Kelley, there were better ways to reform a child "than through its nervous system."⁵⁶ Similarly, in a speech given to the North Carolina Federation of Women's Clubs, Judge Ben Lindsey, a progressive judge and social reformer from Denver who often met with southern juvenile justice officials, contended that physical punishment simply led to more crime.⁵⁷ Physical abuse of children did not fit within progressivism and schools that utilized it were in direct conflict with early twentieth century reform efforts.

⁵⁶ Jennifer Trost, *Gateway to Justice: The Juvenile Court and Progressive Child Welfare in a Southern City* (Athens, GA: University of Georgia Press, 2005), 150.

⁵⁷ Ben Lindsey, "Before the Woman's Club at Meredith College," speech, 5 April 1920, "Folder – North Carolina Federation of Women's Clubs, Juvenile Delinquency Materials, 1920, 1947, no date," MARS No. 97.25, Box 7, State Board of Public Welfare Institutions and Corrections Division: Juvenile Delinquency Correspondence, 1917-1960, SANC,

Simpson recorded a number of interviews that confirmed the existence of brutal punishment at the Boys School in Alabama. Alvin Pennington, a fourteen-year-old inmate, and his twelve-year-old brother Junior both claimed to have witnessed officials carry Tefteller to the “whipping room,” a space dedicated to carrying out physical punishment. Shortly after this, Alvin heard the sounds of a whip, but continued back to his work. Later that day, Alvin saw another official carry Tefteller to the hospital because he had a severe limp, something he said the boy did not have prior to his punishment. The Pennington brothers stated that inmates could receive whippings for running away, smoking, horse playing in the dormitories, and breaking light bulbs.⁵⁸

Colonel D.M Weakley, Superintendent of the Industrial School, maintained throughout the investigation that whippings were not permitted except in extreme cases where the inmate was out of control. Further, he claimed that this punishment could only be performed by the Assistant Superintendent, T.W. Brunham, and in the presence of two witnesses. Because this was Tefteller’s first offense, Weakley insisted that the only punishment he would have received was denied access to the playground and movie time. After hearing about the testimonies of Alvin and Junior, and seeing accusatory statements in the *Birmingham News*, Weakley took it upon himself to interrogate the Pennington brothers himself. Weakley’s intimidating line of questioning included statements such as, “In fact, you did not know whether he was whipped or not,” “Well, now, you just made up the whole

Raleigh, NC. For more on Judge Lindsey, see Trost, *Gateway to Justice*, 55-57 and D'Ann Campbell, “Judge Ben Lindsey and the Juvenile Court Movement 1901-1904,” *Journal of the Southwest* 18, no. 1 (Spring 1976).

⁵⁸ Interview of Alvin and Junior Pennington by R.J. Simpson, 3 August 1938, 1-4, “Folder 1 – Alabama Boys Industrial School at East Lake 1934- Jan 1939,” Box SG12155, SIF – Governor (1935-1939: Graves), ADAH, Birmingham, AL.

thing, didn't you?," "do you think I would allow it [whippings]?", "Don't we try to treat all the boys right?," and "Don't you think you have treated us wrong?" In the interview with Weakley, Alvin and Junior retracted almost everything they had previously told investigators.⁵⁹

It is clear from the interviews of inmates at the Alabama school that intimidation was one of the many techniques officials used to preserve the state's paternalism. Simpson remained skeptical of the sincerity of the boys' statements and the ease to which they publically defended the administrators of the school in such an eloquent fashion. Simpson uncovered during a couple of interviews that the administration of the school instructed some of the inmates to alter their answers during the investigation. The willingness of the boys to participate in covering up their grievances demonstrates the helplessness the inmates felt against the paternalistic power of the state. However, Tefteller's death opened the door for citizens in the South to scrutinize the methods used in the name of reform.

Newspapers reported on the questionable circumstances and investigations surrounding Tefteller's death. They quoted Simpson as he accused Graves of "whitewashing" the case.⁶⁰ According to Simpson, Graves was quick to announce his conclusions: "I do not believe anyone could reach a final conclusion in the case until the full coroner's report has been carefully studied." Simpson also pointed out how Graves based his

⁵⁹ "Conversation between Col. D.M. Weakley and Junior and Alvin Pennington," 10 August 1938, "Folder 1 – Alabama Boys Industrial School at East Lake 1934- Jan 1939," Box SG12155, SIF – Governor (1935-1939: Graves), ADAH, Birmingham, AL.

⁶⁰ "Grand Jury to Act Shortly in Death of Youth," *Florence Times*, 1 September 1938.

understanding of the incident on the report of one state-hired physician rather than the numerous local physicians whose autopsies noted evidence of abuse.⁶¹

In order to combat the charges of cruelty laid out in local newspapers, Weakley issued a number of statements “from the inmates” that denied any mistreatment of the young boys in the institution. In a letter to the editor of the *Birmingham News*, the “inmates” wrote “We, the older boys of this school, would like to state that at no time has a boy been submitted to unmerciful punishment.” They continued by stating that they “depend on this institution for a living” and they “hate to see it get a name like such publicity is bound to give it.” In order to verify its authenticity, the letter concluded, “Please understand that this letter was in no way promoted by any of the authorities of the school, but is being submitted through our own free will.”⁶² In a similar letter to Governor Graves, the “inmates” wrote, “We, the Cadets of the Alabama Boys Industrial School, believe we have been done a grave injustice by these people who have brought to the attention of the public untrue statements about the death of our former comrade, Raymond Tefteller.” The letter continued, “If further investigation will be made on the reports we are sure will be found that they have no grounds for the propaganda given papers.”⁶³ Dr. R.A. Hemrick, one of the physicians the state hired to examine Tefteller’s body, wrote to Weakley stating that he “was surprised as well as amazed at the press reports relative to this boy’s condition which have appeared in the daily newspapers since the early part of the week.” He then offered to speak to the press in order

⁶¹ “Simpson’s View Unlike Graves’ in Death Case,” *Times Daily*, 18 August 1938.

⁶² “From the Industrial School Boys,” *Birmingham News*, 4 August 1938.

⁶³ Cadets of the Alabama Boys Industrial School to Governor Bibb Graves, “Folder 3 – Alabama Boys Industrial School at East Lake 1934- Jan 1939,” Box SG12155, SIF – Governor (1935-1939: Graves), ADAH, Birmingham, AL.

to “explain the circumstances of the boy’s illness as we found them before his death.”⁶⁴ With the negativity surrounding the institution, Weakley relied on the boys and other members of Alabama’s citizenry to prove the school’s innocence in the matter.

Governor Graves determined that Raymond Tefteller died because of an infection in the bloodstream, not from physical abuse. Despite this conclusion, the governor received an outpouring of letters from concerned parents, citizens, and former inmates of the institution.⁶⁵ Marie Wells wrote to Graves about her fifteen-year-old son located at the Alabama Industrial School for Boys in Birmingham. She told him that she read a story in the newspaper about the boy who was beaten to death. She was concerned since her son was sick with a fever, and she insisted doctors examine her child to see if school officials had also beaten him. She also requested the governor to release her son so he could come back home. She admitted to not having much money, but insisted that she could care for her son more than “that terrible place” could. Wells pleaded, “Governor Graves we Mothers give our Boys up to go to these institutions . . . they are not criminals just boys who get in their heads.”⁶⁶ Governor Graves’s legal adviser responded to Marie Wells by stating that the Graves did not get involved in these matters unless requested by the school officials and that the only way her son could be paroled was if the head of the institution, Colonel Weakley, recommended the young boy’s

⁶⁴ R.A. Hemrick to Colonel D.M. Weakley, 5 August 1938, “Folder 2 – Alabama Boys Industrial School at East Lake 1934- Jan 1939,” Box SG12155, SIF – Governor (1935-1939: Graves), ADAH, Birmingham, AL.

⁶⁵ These letters were interspersed among other correspondence between Governor Graves and state officials. The letters here are a few from the approximately twenty of the notes that I collected during my research.

⁶⁶ Marie Wells to Governor Bibb Graves, 4 August 1938, “Folder 3 – Alabama Boys Industrial School at East Lake 1934- Jan 1939,” Box SG12155, SIF – Governor (1935-1939: Graves), ADAH, Birmingham, AL.

release.⁶⁷ A.C. Simmons, the father of a former inmate at the school, wrote to Simpson about the “boy that was beat to death.” Simmons told Simpson that while his son was incarcerated at the institution in 1934, they had beaten him repeatedly. He continued, “they had all kind of punishment you don’t have no idea . . . Col. D.M. Weekly knows what go on there.” Simmons concluded his letter by stating “That place is not fit to send a dog or nothing else to. They are making criminals out of boys . . . I think the people should know the truth about that place.”⁶⁸

Former inmates also wrote to the governor offering their opinions of what happened to Tefteller, using their own experiences at the school as evidence. Howard Hill, an inmate in 1916, stressed the fact that he was not a criminal, and that his only crime was being “poverty stricken.” Hill stated that the institution was a “disgrace” to the state of Alabama since its officials took pleasure in “picking on the weak at the slightest provocation.”⁶⁹ The only response Hill received from the governor’s office was an acknowledgement of receiving his letter.⁷⁰ Former inmate J.P. Curl wrote to Simpson confirming that he too was beaten at the school by Colonel Weakley and that he wanted to testify on behalf of Raymond Tefteller.

⁶⁷ Lawrence H. Lee to Marie Wells, 9 August 1938, “Folder 3 – Alabama Boys Industrial School at East Lake 1934- Jan 1939,” Box SG12155, SIF – Governor (1935-1939: Graves), ADAH, Birmingham, AL.

⁶⁸ A.C. Simmons to Solicitor R.J. Simpson, 7 August 1938, “Folder 1 – Alabama Boys Industrial School at East Lake 1934- Jan 1939,” Box SG12155, SIF – Governor (1935-1939: Graves), ADAH, Birmingham, AL.

⁶⁹ Howard Hill to Governor Bibb Graves, 6 August 1938, “Folder 3 – Alabama Boys Industrial School at East Lake 1934- Jan 1939,” Box SG12155, SIF – Governor (1935-1939: Graves), ADAH, Birmingham, AL.

⁷⁰ Lawrence H. Lee to Howard Hill, 8 August 1938, “Folder 3 – Alabama Boys Industrial School at East Lake 1934- Jan 1939,” Box SG12155, SIF – Governor (1935-1939: Graves), ADAH, Birmingham, AL.

Even citizens with no stake in the institution wrote to Graves expressing their disgust with the way punishments were administered at the school. C.H. McFarling, a WPA worker who installed windows at the institution on Thanksgiving Day 1937, wrote that there was “no doubt in my mind that this boy died from injuries received” at the school. He continued, “I do not know this lad, or anything about this affair, other than what I read in the paper,” but he did recall an incident he witnessed while on the job of two small boys “brutally beaten and kicked” by another inmate who was in charge of overseeing cleaning duties “which left a stream of blood trailing into the bathroom,” at which point the WPA workmen interfered. They approached the older inmate who claimed to “have authority” over the smaller boys, an assertion later denied by Colonel Weakley.⁷¹

Although Governor Graves ruled out death by foul play, the public continued to blame corporal punishment and state negligence for Tefteller’s passing. When first founded by the Alabama Federation of Women’s Clubs (AFWC) in 1899, the mission of the institution was to provide a facility for the industrial training and education of Alabama’s “wayward” white boys. By the 1930s, the mission stayed the same, yet the school’s staff and administration quickly abandoned the progressive methods initially used to achieve this goal, turning instead to a philosophy centered on physical punishment and labor.

Effects of the Great Depression on the South’s Juvenile Reform Institutions

⁷¹ C.H. McFarling to Governor Bibb Graves, 3 August 1938, “Folder 2 – Alabama Boys Industrial School at East Lake 1934- Jan 1939,” Box SG12155, SIF – Governor (1935-1939: Graves), ADAH, Birmingham, AL.

The death of Raymond Tefteller and the Samarcand arson case were two of many abuse scandals that characterized the problems southern carceral institutions in the 1930s.⁷² Incidents like these brought with them reports on the safety hazards and poor conditions of state schools caused a number of parents and family members to appeal to state officials for the release of their children. Reports on poor conditions gave reason for families of institutionalized youth as well as other citizens to question the environments in which the children lived. Further, limited financial resources during the Depression caused juvenile reform schools to no longer focus on rehabilitation through education. Instead, inmates spent most of their time performing manual labor rather than receiving an education, which contradicted progressive methods of juvenile reform.

On August 13, 1938, Nell LeCompte Reaves, President of the AFWC, wrote to Governor Graves expressing the organization's disgust over the conditions of the school. Their report was a result of their assignment to survey the Works Progress Administration's (WPA) various projects in Alabama institutions; the Boy's Industrial School had received \$184,000 for capital improvements, while the Alabama Training School for Girls received over \$500,000 for construction of a new campus.⁷³ On their visit to the Boys' Industrial

⁷² A staff member murdered Dell Thames, a 15-year-old boy from Beaumont, Texas, while he was incarcerated at the Gatesville School for Boys. Thames's death was one of 16 at Gatesville between the years of 1900-1920. These statistics did not, however, account for boys who "contracted lethal diseases" from the Institution and were sent home to die. Cases such as these called into question the physical conditions of southern reform institutions and their efficacy in rehabilitating troubled youth into upstanding citizens. For more see William S. Bush, *Who Gets a Childhood? Race and Juvenile Justice in Twentieth-century Texas* (Athens, Ga.: University of Georgia Press, 2010), 26-28. In another incident in Tennessee, a sex abuse scandal involving a young institutionalized boy and drunken school official brought negative attention to Tennessee's juvenile justice system.

⁷³ "A List of Major WPA Projects, 1935-1941," Birmingham Historical Society, Newsletter, November 2009, http://www.bhistorical.org/pdf/BHS_Newsletter_DOGD.pdf.

School, the women found the manual labor required of each inmate excessive. They reported on how the school expected even the smallest boy to haul bags of coal over their heads for twenty-five to fifty feet in order to heat the furnaces. More appalling to members of the AFWC was how the school expected the boys to spend their time. During the afternoon, when the inmates needed to engage in a traditional school curriculum, officials at the institution forced them to carry out physical labor. Further, much to the AFWC's astonishment, the institution did not provide the inmates adequate clothing, food, toys, or reading materials.⁷⁴

When the AFWC founded the Boy's Industrial School, their purpose was to provide a place where "wayward" boys could be reformed through education. This push for education was central to progressivism. Southern middle-class reformers believed that by educating all children, no matter their class, race, or social status, it would "replace backwardness and poverty with a fresh determination to achieve regional modernization."⁷⁵ The South was a particularly difficult region for progressives to advance this idea for two reasons. First, southern tradition championed local autonomy, which outweighed the arguments for compulsory education.⁷⁶ Second, the agrarian economy of the region allowed parents to

⁷⁴ Nell LeCompte Reaves to Governor Bibb Graves, 13 August 1938, "Folder 2 – Alabama Boys Industrial School at East Lake 1934- Jan 1939," Box SG12155, SIF – Governor (1935-1939: Graves), ADAH, Birmingham, AL.

⁷⁵ William A. Link, *The Paradox of Southern Progressivism, 1880-1930* (Chapel Hill: University of North Carolina Press, 1992), 203 and Judith N. McArthur, *Creating the New Woman: The Rise of Southern Women's Progressive Culture in Texas, 1893-1918* (Urbana: University of Illinois Press, 1998), 69.

⁷⁶ Link, *The Paradox of Southern Progressivism, 1880-1930*, 4.

argue for the necessity of child labor in lieu of schooling.⁷⁷ Third, and likely the main reason, the large population of African Americans in the South deterred lawmakers from establishing an education system that benefited blacks. Indeed, denying African Americans with a decent education was one of the many strategies whites used to control blacks in the South.⁷⁸ For a progressive organization like the AFWC, the conflict between labor and education proved detrimental and counterproductive to the rehabilitation of “wayward” youth. The precedence of manual labor at the Industrial School fueled their discontent as they believed it was the lack of education in the first place that led to the delinquency of Alabama youth. The investigation performed by the AFWC revealed an abandonment of progressive principles upon which the organization founded the school. The financial strain of the Depression, however, exacerbated the need for school officials to utilize the inmates as cheap labor in the upkeep of the institution.

With what seemed to be a threat, Reaves ended her letter to Governor Graves by pointing out that she appointed a committee within the AFWC to assist with improvements to the institution, rather than reporting their findings to newspapers.⁷⁹ Governor Graves responded by assigning members of the State Board of Administration and the State Welfare Department to perform their own survey of the Boys’ School and make suggestions for

⁷⁷ Ibid., 270.

⁷⁸ According to historian James Anderson the second-class education of African Americans “was the logical outgrowth of a social ideology designed to adjust black southerners to racially qualified forms of political and economic subordination. James D. Anderson, *The Education of Blacks in the South, 1860-1935* (Chapel Hill: University of North Carolina Press, 1988), 3.

⁷⁹ Nell LeCompte Reaves to Governor Bibb Graves, 13 August 1938, “Folder 2 – Alabama Boys Industrial School at East Lake 1934- Jan 1939,” Box SG12155, SIF – Governor (1935-1939: Graves), ADAH, Birmingham, AL.

improvement.⁸⁰ Despite the AFWC's promise to leave their report out of newspapers, the public did hear of their observations at the School for boys. This awareness of bad conditions at the institution led Colonel Weakley to inform local newspapers on the improvements made on the campus. In order to calm the concerns the AFWC report engendered, Weakley claimed the conditions "were not as bad now as the report stated." However, Weakley blamed a lack of appropriations for any maladies still existing at the school.⁸¹

Deputy Fire Marshal P.H. Lipman noticed similar circumstances at the Alabama State Training School for Girls. He found almost every building to be in a "deplorable condition." Poor wiring, deteriorating walls and plaster, barred windows, and the absence of proper fire drills made him consider the cottages to be "very dangerous fire trap[s]."⁸² Mary Coner Ryding, Chairman of the Executive Committee for the State School for girls responded to this report by stating the administration made a conscientious decision not to run fire drills

⁸⁰ Ibid.

⁸¹ "School's State Claimed Better: Weakley Says Condition Has Been Improved Since Club Study," 30 March 1939, "Folder 2 – Alabama Boys' Industrial School – East Lake 1938-1942," Box SG12205, SIF, Alabama Governor (1939-1943:Dixon), ADAH, Birmingham, AL. vThe WPA appropriated \$5,330 to the ABIS for the purpose of completing the construction of a powerhouse and steam distribution system. However, these funds did not cover the entire project and Weakley requested more money from the state to pay for the rest of the project. It appears from several letters on this topic that funding from New Deal programs were intended to help Alabama cover the costs of general repair work in their carceral institutions, however the money appropriated never seemed to be enough to repair let alone improve the facilities. D.M. Weakley to Governor Bibb Graves "Folder 3 – Alabama Boys Industrial School at East Lake 1934- Jan 1939," Box SG12157, SIF – Governor (1935-1939: Graves), ADAH, Birmingham, AL.

⁸² P.H. Lipman to Governor Graves, "Folder 3 – Alabama Boys Industrial School at East Lake 1934- Jan 1939," Box SG12157, SIF – Governor (1935-1939: Graves), ADAH, Birmingham, AL.

because some of the girls had a “psychopathic tendency,” the school worried such drills would encourage these “disturbed” inmates to set fire to the buildings. In reference to the barred windows, Ryding expressed confidence that the girls would be able to kick down the wire mesh covering the windows if the buildings were to ever catch fire. In order to mollify the fears Lipman’s report created, Ryding stated that the school not only provided ropes in place of fire escapes, but also allowed a male night watchman to patrol the girls’ dormitories.⁸³

Like most of the southern reformatories for children during the Great Depression, the Alabama State Training School for Girls had to navigate a growing population and decreasing budget. In 1931, the population of the school was sixty-three girls and operated on an appropriation of \$50,000. The state legislature reduced this amount to \$35,000 in 1932 but then raised it to \$40,000 in 1934. However, the population of the school had grown to 132 girls. Superintendent Mary H. Fowler lamented, “Since this reduction coincided with the time in which we were asked to care for our largest number of girls, the problem of making ends meet was terrific.” The condition of the road in and out of the school concerned Fowler the most. She worried that if some of the girls became ill, they would not be able to get her to the nearby hospital.⁸⁴

Alabama citizens quickly learned about the disturbing findings of various organizations and public officers. As a result, the family members of institutionalized youth urged the Governor, not necessarily to release of their loved ones, but to improve the

⁸³ Ibid.

⁸⁴ “A Story of Progress: State Training School for Girls, Birmingham, Alabama,” report, 1937, “Folder 13 – State Training School for Girls 1939-1942,” Box SG12207, SIF – Governor (1939-1943: Dixon), ADAH, Birmingham, AL.

conditions of the schools. Mary Cooper wrote on behalf of her sister, an inmate at the school for girls, stating that the letter she was writing was by no means intended to “secure the release of any inmate.” She wrote to Graves in the hopes of making him aware of some of the things her and her mother witnessed when visiting her sister. According to Cooper, all of the girls appeared to be underfed. They also saw countless vermin and bugs in the girls’ beds. Cooper stated that she did not think it was the “policy of the State that the inmates of this school should fare worse than the convicts at Kilby,” a state prison in which she claimed to be “far superior” to the state school for girls.⁸⁵ New Deal programs began addressing some of these problems when, in 1934, workers from the Works Progress Administration built four fireproof buildings. Fowler was appreciative of this relief work, but maintained that their budgets remained stressed and the school desperately needed more funds to maintain the institution, where a girl, she argued, “can learn to be a healthy, happy and conforming young citizen.”⁸⁶

In the example of Alabama’s school for white girls, the school had to rely on federal relief programs to ensure the safety of its young wards. In some instances, federal relief did not come soon enough. In North Carolina for example, the Duplin County Prison burned down on March 7, 1931. Eleven of the prisoners in this facility burned to death as the guards on duty slept in another building. An investigation determined that the cause of the fire was defective wiring in the lighting system. In a report produced by the State Board of Charities

⁸⁵ Mary Cooper to Governor Bibb Graves, “Folder 3 – Alabama Boys Industrial School at East Lake 1934- Jan 1939,” Box SG12157, SIF – Governor (1935-1939: Graves), ADAH, Birmingham, AL.

⁸⁶ “A Story of Progress: State Training School for Girls, Birmingham, Alabama,” report, 1937, “Folder 13 – State Training School for Girls 1939-1942,” Box SG12207, SIF – Governor (1939-1943: Dixon), ADAH, Birmingham, AL.

and Public Welfare, the board argued, “the system, rather than a single person, is to be blamed.”⁸⁷

The poor environments of white reformatories in the South largely resulted from times of economic depression in the 1930s. However, African American reform schools suffered from a lack of appropriations well before the Depression because of a widespread indifference towards their inmates by white society. In 1921, Dr. W. M. Washington, a surgeon, wrote to Governor Thomas Kilby after visiting the Alabama Reform School for Juvenile Negro Law Breakers. In his report, Dr. Washington noted his astonishment and “utter disgust” over the conditions the state had allowed the boys and girls within African American reform schools to exist. The institution expected the male inmates to perform manual labor without shoes and with ragged clothing. The “somewhat emaciated” boys lived in “filthy” dormitories, where each dirt-covered cot was expected to sleep three inmates. Washington observed the staff at the school give more care and attention to the “buildings and stock” than to the human beings housed there. He insisted that the Governor, “for the sake of humanity,” investigate further the maltreatment of the inmates, in which Kilby responded by thanking Washington for bringing the conditions of the school to his attention and insisting that he will follow through with the investigation.⁸⁸

⁸⁷ North Carolina Board of Charities and Public Welfare, Biennial Report, 1932, “Folder - Prison System – NC,” Box - PC 255.28 Social Welfare, 1922-1938, NBLP, SANC, Raleigh, NC.

⁸⁸ W.M. Washington to Governor Bibb Graves, “Folder 12 – Alabama Reform School for Negro Boys Mt. Meigs, Ala,” Box SG12156, SIF – Governor (1935-1939: Graves), ADAH, Birmingham, AL; Governor Bibb Graves to W.M. Washington, “Folder 12 – Alabama Reform School for Negro Boys Mt. Meigs, Ala,” Box SG12156, SIF – Governor (1935-1939: Graves), ADAH, Birmingham, AL. By 1940, the Board of Trustees in Alabama gave a glowing report of the African American reform school, stating that many of the young men who entered the Institution emaciated were ready and able to join work programs such as the

In a similar way, the Virginia Industrial School for Colored Girls felt the negative impact of meager state appropriations more than their white counterparts. However, the institution successfully raised enough funds through private donations and philanthropy to keep the school open. Further, the Virginia Industrial School for Colored Girls stood as a model institution, and superintendents from other reformatories throughout the region visited the campus to see how and why the school experienced so much success. Despite this, Superintendent Janie Porter Barrett grew increasingly worried about the fate of her school and inmates as the Depression years continued. Overcrowding as well as the lack of proper equipment and facilities made it difficult for the institution to achieve its mission of reformation. Barrett contended “it is a waste of time and money to attempt to raise a child’s standard of living if it is placed in an institution where the same crowded conditions prevail that exists in the home environment from which they come.”⁸⁹

Every year Barrett sought to report on some improvements made at the school, but as the years and severity of the Great Depression continued, it became increasingly difficult for her to note any advances. In 1933 she opened her letter to the board by stating “repeated cuts in our appropriation have left us this year with perhaps fewer improvements than at any other time in the history of the institution.”⁹⁰ Martha Chamberlayne McNeill, Chairman of the

Civilian Conservation Corps (CCC). “Superintendent’s Report on Alabama State Reform School” to Governor Graves and the Board of Trustees, 1940, “Folder 2 – Alabama Boys’ Industrial School – East Lake 1938-1942,” Box SG12205, SIF – Governor (1939-1943: Dixon), ADAH, Birmingham, AL.

⁸⁹ “Report of the Superintendent,” Fifteenth Annual Report of the Virginia Industrial School for Colored Girls, report, 1930, 6, HV 9105 V82 A3 1929/1930, LVA, Richmond, VA.

⁹⁰ Eighteenth Annual Report of the Virginia Industrial School for Colored Girls, report, 1933, 5, HV 9105 V82 A3 1932/33, LVA, Richmond, VA.

school's board, expressed how "in times like these we are thankful for existence."⁹¹ Like many African American reform institutions in the South, the Virginia Industrial School for Colored Girls relied on meager state funds and philanthropic support. Because of the economic strain faced by both the state and philanthropists, the school needed to provide for the girls more than ever before. Before the Depression, parents of inmates often visited their daughters, bringing with them new clothing and other necessities. These parents began writing to Barrett stating that they could no longer afford the cost of transportation to get to the school nor could they pay for clothes their children needed. During an already desperate economic time, the responsibility to properly clothe the inmates fell on the school itself, a task that was especially difficult during the winter, when many of the girls went without coats.⁹²

Despite these challenges, the institution managed to stay open with measly state appropriations and material donations from private donors across the United States. However, Barrett worried about the reports she was hearing of girls who had already left the institution: "I daresay the seriousness of the depression is nowhere more startlingly reflected than in the experiences of some of our girls on parole."⁹³ According to Barrett, the majority

⁹¹ Ibid., 1.

⁹² Seventeenth Annual Report of the Virginia Industrial School for Colored Girls, report, 1932 9, HV 9105 V82 A3 1931/32, LVA, Richmond, VA.

⁹³ Ibid. That Barrett was more concerned for the girls on parole than those in the institution highlights just how bad the Depression was for blacks in the South. While the New Deal had some impact on the southern economy, it did little if nothing to address the racial conflict in the region. In his book, *New Deal/New South: An Anthony J. Badger Reader* (Fayetteville: University of Arkansas Press, 2007), Anthony J. Badger argues that the New Deal failed in actively advancing racial equality. Indeed, he contends that southern moderates were "too timid" in pushing for civil rights. Staunch segregationists of the 1930s successfully maintained the racial status quo in the region. Harvard Sitkoff's *A New Deal for Blacks: The*

of the girls did not have the “intellectual capacities” to become “leaders or teachers,” therefore, many of the inmates worked as domestics in white homes upon their release.⁹⁴ Because of financial strain, however, the school could not afford to hire a full time home economics instructor and the equipment they used proved to be “woefully inadequate to the effective carrying out” of the program, making it difficult for the School to provide the training the inmates needed for life after parole.⁹⁵ One of the white families who took in a former inmate from Barrett’s school sent the girl back, despite the fact that the child remained “respectful and anxious to give satisfaction.” The white woman argued that the girl’s “absolute ignorance of the electric range and so many other modern appliances rendered her useless” in her home. Barrett informed the Board of Managers “such complaints are becoming so numerous it is evident that a remedy of the situation is imperative.”⁹⁶ Lack of adequate training with updated equipment, coupled with the

Emergence of Civil Rights as a National Issue: The Depression Decade (New York: Oxford University Press, 1978) shows how instead of solving racial issues, the New Deal planted the seeds of change that would be harvested in the decades that followed. For more on the African American experience during the Great Depression and New Deal see James D. Anderson, *The Education of Blacks in the South, 1860-1935* (Chapel Hill: University of North Carolina Press, 1988); Robin D. G Kelley, *Hammer and Hoe: Alabama Communists during the Great Depression* (Chapel Hill: University of North Carolina Press, 1990); John B. Kirby, *Black Americans in the Roosevelt Era: Liberalism and Race* (Knoxville: University of Tennessee Press, 1980); Patricia Sullivan, *Days of Hope: Race and Democracy in the New Deal Era* (Chapel Hill: University of North Carolina Press, 1996); Raymond Wolters, *Negroes and the Great Depression: The Problem of Economic Recovery* (Westport, Conn.: Greenwood Publishers, 1970).

⁹⁴ Nineteenth Annual Report of the Virginia Industrial School for Colored Girls, report, 1934, 9, HV 9105 V82 A3 1933/34, LVA, Richmond, VA.

⁹⁵ Ibid.

⁹⁶ Sixteenth Annual Report of the Virginia Industrial School for Colored Girls, report, 1931, 8, HV 9105 V82 A3 1930/31, LVA, Richmond, VA.

decreased purchasing power of Virginian whites, left many girls paroled from the school either unemployed or underpaid. White families wrote to Barrett stating that they either needed to send the girl they received back to the institution or significantly cut their wages. “In this crisis,” Barrett conceded, “I am forced to permit the girls to accept much less than they are worth.”⁹⁷

Barrett worried that when sufficient employment could not be found the girls began “sacrificing for the depression everything that we cherish as fine and wholesome in womanhood.” In one instance, the superintendent decided to write to a former inmate after hearing the girl’s father had become ill. The girl wrote back expressing that she needed to supply fifteen dollars a month to keep her father supported, but in order to do so she was “forced to do things which I know are wrong and which I would not do if I could make ends meet any other way.”⁹⁸ Authorities picked up another girl, who was paroled to her ill foster-mother, after she “was found on the streets soliciting.” Upon further investigation, officials discovered that her foster-mother sent her to prostitute “out of desperation.”⁹⁹

The turn to prostitution worried Barrett as many African American reformers and organizations fought diligently against the “stereotype of black female promiscuity.”¹⁰⁰ Since the days of slavery, whites identified black women as having an innately insatiable sexual appetite; a racist understanding of black female sexuality that remained one of the

⁹⁷ Ibid.

⁹⁸ Seventeenth Annual Report of the Virginia Industrial School for Colored Girls, report, 1932, 9, HV 9105 V82 A3 1931/32, LVA, Richmond, VA.

⁹⁹ Ibid.

¹⁰⁰ Cahn, *Sexual Reckonings*, 32.

largest hurdles African American women had to overcome.¹⁰¹ For this reason, quelling adolescent sexuality within the black community became the top priority of progressive African American organizations. Black clubwomen, like those in the National Association of Colored Women (NACW), worked within their local communities to provide classes aimed toward teaching black adolescent females the importance of remaining sexually chaste. The freewheeling sexuality of black teenage girls threatened not only the safety of these young women, but also “placed a stain on the image of all black women.”¹⁰² This ideology meant that the concern Barrett felt for the inmates at the school did not wane once the inmates left the institution. She worried about many of the girls as they turned to prostitution to support themselves and their families. When she did receive “distressing news from many of the girls who left us years ago and are now married and have families,” Barrett scrounged together used clothes and other supplies to send to her former inmates.¹⁰³

Just as the school’s situation appeared the most bleak, assistance from various New Deal programs alleviated many of the institution’s burdens. In 1934, Barrett reported on how “a long-felt need was met this year when the Federal Emergency Relief Administration (FERA) provided funds for a teacher of domestic science.” She also took solace in the New Deal’s slum clearance program stating “if this project is devised and executed so as to

¹⁰¹ Cheryl D. Hicks, *Talk with You like a Woman: African American Women, Justice, and Reform in New York, 1890-1935* (Chapel Hill: University of North Carolina Press, 2010), 209. For more on how race alters understandings of gender see Evelyn Brooks Higginbotham, “African-American Women’s History and the Metalanguage of Race,” *Signs* 17, no. 2 (Winter 1992).

¹⁰² Cahn, *Sexual Reckonings*, 32.

¹⁰³ Eighteenth Annual Report of the Virginia Industrial School for Colored Girls, report, 1933, 10, HV 9105 V82 A3 1932/33, LVA, Richmond, VA.

include all slums half of our problem will be solved.”¹⁰⁴ Here, Barrett refers to the universal belief among African American reformers that abject poverty and crowded living conditions within black communities yielded high rates of delinquency.¹⁰⁵ Barrett believed that by clearing slums and financially uplifting African American neighborhoods, the rate of juvenile delinquency among black youth could significantly decrease.¹⁰⁶

As the strain of the Great Depression began to fade from the institution, Barrett became increasingly optimistic and nostalgic of the school’s past, present, and future. In 1939, she regarded “the transformation” of the school’s campus “as symbolic of the changes we have wrought in the character” of the girls who were housed in the institution throughout the years. In a sentimental reflection, Barrett shared how the School’s campus, a “wilderness” when first purchased by Virginia’s Federation of Colored Women’s Clubs, was once a battlefield during the Civil War. “Nothing had been done,” according to Barrett, “to improve the soil since the war. Now the land flourishes.” She continued, “We feel that whatever victories may have been won on this battlefield during the Civil War are insignificant compared with our material and spiritual triumphs in the face of meager

¹⁰⁴ Nineteenth Annual Report of the Virginia Industrial School for Colored Girls, report, 1934, 10, HV 9105 V82 A3 1933/34, LVA, Richmond, VA; Twentieth Annual Report of the Virginia Industrial School for Colored Girls, report, 1935, 7, HV 9105 V82 A3 1934/35, LVA, Richmond, VA.

¹⁰⁵ Cahn, *Sexual Reckonings*, 83-84.

¹⁰⁶ In addition to New Deal funding, Virginia’s four institutions for delinquent children received significant funds, totaling thirty thousand dollars collectively, from the estate of Jonathan Byrd of Richmond, the affluent son of Joseph Byrd, former president of the Virginia Historical Society and board member of the University of Virginia. Barrett asserted that this “generous and public-spirited” gift would not only bring “joy into the lives of many underprivileged children,” but it would also “inspire the children to greater efforts to meet the world’s standard in every respect.” Twentieth Annual Report of the Virginia Industrial School for Colored Girls, report, 1935, 5, HV 9105 V82 A3 1934/35, LVA, Richmond, VA.

resources.” Instead of crediting the state with this victory, however, Barrett laid the success of the institution at the feet of the women, both black and white, who stopped at nothing to open a facility for wayward African American girls in Virginia:

The Negro women with human slavery less than seventy years behind them, and the white women, products of hundreds of years of education and culture, joining hands and working together that the least among them might have their chance. What a sacrifice and struggle on the part of the Negro women who had so little to share; what courage in the white women who laid aside custom and inherited traditions to champion a cause so unpopular! . . . The School could not have been built by colored women alone; it could not have been built by white women alone, but together they have given to the Commonwealth an institution without which its organization for social welfare would be incomplete.¹⁰⁷

While larger schools like the Virginia Industrial School for Colored Girls managed to come out of the 1930s relatively unscathed, smaller county run schools for black youth were forced to shut their doors. The citizens of Winston-Salem, North Carolina became concerned when the Forsyth County Reformatory closed on September 25, 1931 “and turned loose on the streets of [the city], a crowd of delinquent colored boys, the products of broken homes and bad environment, failures beyond the reach of church, schools and society.”¹⁰⁸ While Samarcand and Stonewall Jackson Training Schools housed “the small percentage” of delinquent white children in the state, Winston-Salem felt as though their “biggest problem” was their “large colored population,” which yielded a worrisome number of “delinquent” black youth. Between 1928 and 1931, 108 African American boys were committed to the Forsyth

¹⁰⁷ Twenty-Fourth Annual Report of the Virginia Industrial School for Colored Girls, report, 1939, 6, HV 9105 V82 A3 1938/39, LVA, Richmond, VA.

¹⁰⁸ “City Juvenile Detention Home for Colored Boys,” 1-2, “Folder – Quarters, 1918-1933,” Box 5 Juvenile Delinquency Correspondence, Institutions and Corrections Division, MARS No. 97.25, State Board of Public Welfare (SBPW), SANC, Raleigh, NC.

Country Reformatory. Instead of allowing these children to remain in the community after the institution closed, local citizens of Winston-Salem took it upon themselves to alleviate their situation by raising funds to open a detention home for African American youth.

According to one citizen “It has often been said, ‘Necessity is the mother of invention,’ but in this instance, ‘Necessity is the mother of a Home.’”¹⁰⁹ After three years of fundraising, Winston-Salem managed to open the City Juvenile Detention Home for Colored Boys. Classified as a home rather than a reformatory, the institution sought to “exert a Christian influence, good environment, kindness, truthfulness, cleanliness, character and physical thriftiness.”¹¹⁰ But this home was not seen as a permanent solution, and instead acted as a place where African American youth could be detained until they could be received by a state owned facility like the Morrison Training School and the North Carolina Industrial Home for Colored Girls in Efland.

Southern institutions suffered through the economic strains of the Great Depression more than those in the North.¹¹¹ But while funding for these institutions decreased, their populations increased. These two factors combined contributed to the poor conditions of southern juvenile reform institutions, which worried many citizens throughout the region as to the safety and efficacy of the schools. Further,

¹⁰⁹ Ibid., 3-4.

¹¹⁰ Ibid., 5.

¹¹¹ Steven Noll, *Feeble-minded in Our Midst: Institutions for the Mentally Retarded in the South, 1900-1940* (Chapel Hill: University of North Carolina Press, 1995), 44.

progressive organizations grew increasingly concerned over the abandonment of pedagogical rehabilitation in favor of a more punitive and labor based system of control. During a time of economic crisis, southern state officials adhered strongly to paternalistic policies despite the growing discontent of citizens and reformers as the power of the state took precedence over the safety of the South's institutionalized youth. Although financial difficulties affected all juvenile reform institutions in the South, African American reformatories struggled to stay open. These institutions relied on their own resourcefulness as well as benevolence on the part of African American civic organizations, which allowed them the freedom to operate without much interference from the state. During the 1930s, the struggles faced by southern institutions worried citizens as state officials continued to operate under a patchwork reform system that embraced a strategy of tradition and paternalism. Citizens worried about the unwillingness of southern officials to modernize their policies in the face of new societal and political challenges in the region.

Conclusion

On New Years Eve 1931, North Carolina physician Ernest M. Poate adequately summarized the problems of the southern carceral state: "the wards of the State are neglected and forgotten, until some particularly flagrant scandal arouses public interest. Then there is an uprising of indignation, followed by spasmodic reforms; and then renewed forgetfulness, until next time."¹¹² Indeed, southern

¹¹² Ernest M. Poate, M.D., "State Institutions Need Skill," *The News and Observer*, 31 December 1931, "Folder - Psychiatry and Crime," Box - PC 255.28 Social Welfare, 1922-1938, NBLP, SANC, Raleigh, NC.

institutions of 1930s stood in stark contrast to the progressive visions of reform in the 1910s and 1920s. The financial strain of the Depression led to a breakdown not only of their physical structures, but of the progressive ideologies that were a cornerstone of their founding. School administrators did not simply continue education-based reform in the face of limited resources. Instead, they relied on old systems of control through an increased use of corporal punishment, which was in contention with the philosophies of their progressive founders. The consequences of this were not only discontent among the inmates, which led to riot and rebellion, but it also opened the door to public criticism and distrust. In its most severe form, poor conditions within these institutions, and a rejection of progressivism, proved fatal as seen in the case of Raymond Tefteller.

Punitive reform, however, fit in well with the paternalism of southern carceral policy. The paternalistic policies of the South prevented the region's modernization in regards to social welfare. Progressives criticized the use of corporal punishment and labor, which they believed to be relics of failed 19th century correctional methods. They also saw it as breeding further criminality. However, the state was unwilling to concede tradition. Paternalism had to be preserved. By acting in place of parents, the state was not only taking on the role of a guardian over its institutionalized children, but also over the society which they sought to protect from "wayward" youth.

Chapter Four

Reclaiming Citizenship: War Work at the State Industrial Farm for Women in Virginia and the Publication of 'The Citizen'

By all appearances, Miss Ann was a good citizen.¹ She was involved in her community, attended church regularly, had an all-around peaceful demeanor, and most importantly, raised children into good citizens of the state. Miss Ann had been suffering silently, however, while her husband drained their income on alcohol. For years, Miss Ann remained patient and kind to her husband as he continued his drunken ways. There was little recourse for women in this situation, especially for African Americans in Virginia like Miss Ann.² One day, after her children had grown, Ann's patience ran out. Discovering her husband nearly unconscious under a tree, she found an axe lying nearby, and in a fit of rage, went from being a dignified woman in her community to an axe murderer.³ Because of her

¹ Most of the carceral records leave out the last names of their inmates as a way to protect their privacy. For this reason, most of the inmates discussed in this chapter will be mentioned by their first name only. The last names will only appear if they were provided in the records.

² Whether because of strict divorce laws that forbade women to end their marriage or the lack of economic security that could result in such a separation, for many women, staying in an unhappy union was their only option. For African American women, discrimination and prejudice made living independently without a spouse near impossible. For more on women, marriage, and divorce see Nancy F. Cott, *Public Vows: A History of Marriage and the Nation* (Cambridge, Mass.: Harvard University Press, 2000); Paula Giddings, *When and Where I Enter: The Impact of Black Woman on Race and Sex in America*, 2nd ed. (New York: W. Morrow, 1996); Jacqueline Jones, *Labor of Love, Labor of Sorrow: Black Women, Work and the Family, from Slavery to the Present* (New York, NY: Basic Books, 2010); Carole Pateman, *The Sexual Contract*, 1988 ed. (Stanford, Calif.: Stanford Univ. Press, 1992) and Deborah G. White, *Too Heavy a Load: Black Women in Defense of Themselves, 1894-1994* (New York: W.W. Norton, 1999).

³ Edith A. Franklin, "Detained: The Story of a Prison," 1955, 93, Accession 28463, Virginia Correctional Center for Women, personal papers collection, LVA, Richmond, VA.

previously established character, the state gave Ann a lenient sentence in proportion to the crime.⁴ Once incarcerated at the State Industrial Farm for Women in Virginia (SIFW), Miss Ann quickly gained the respect and admiration of her fellow inmates and staff. “Anyone else,” according to Edith A. Franklin, a matron, librarian, and religious director at the Farm for sixteen years, “would have been simply ‘Ann,’ but there was a dignity about her that seemed to demand this bit of homage.” After she was released, Miss Ann’s children welcomed her home where she resumed a life free from crime.⁵

The story of “Miss Ann” epitomizes how Virginian officials understood citizenship. I contend that the case of Miss Ann, and others like her, reveal that the Commonwealth had specific definitions of good citizenship by which they sought to measure the reform of their wards.⁶ A good citizen had to have a Christian faith, a kind demeanor, good mental and

⁴ The duration of the sentence was not indicated in the records, only that it was a “lenient” sentence.

⁵ Edith A. Franklin, “Detained: The Story of a Prison,” 1955, 93, Accession 28463, Virginia Correctional Center for Women, personal papers collection, LVA, Richmond, VA.

⁶ Historians long used British sociologist T.H. Marshall’s definition of citizenship as a way to understand how the United States understood the rights and obligations of its citizens. In his book *Class, Citizenship, and Social Development: Essays* (1950; repr., Westport, Conn.: Greenwood Press, 1973) Marshall defines citizenship as a status given to full members of a community. Further, he divided citizenship into three elements: civic, political, and social. Civic citizenship protected the freedom of speech, thought, religion, and liberty while political citizenship included the right to participate in government. Marshall’s inclusion of social citizenship was perhaps the most limited and criticized. According to Marshall, social citizenship could not be obtained without the political and civic citizenship and required individuals to live according to the standards of society. More recently, historians have grappled with Marshall’s definition of citizenship, challenging certain aspects of his theory while expanding on others. Historians like Margot Canaday, in her book *The Straight State: Sexuality and Citizenship in Twentieth-Century America* (Princeton, N.J.: Princeton University Press, 2009), expands these definitions of citizenship to include sexual citizenship. In her study on the American state and their (unintended) creation of the “homosexual identity,” Canaday accepts sociologists Will Kymlicka and Wayne Norman’s two categories of citizenship; citizenship as practice and citizenship as status. Practicing

physical hygiene, raise good citizens, and be involved in the community. Throughout the twentieth century, the state used their understanding of citizenship to measure Virginia residents. However, conviction and incarceration stigmatized Virginia's inmates and called into question their citizenship. When the United States entered World War II, convicts at the SIFW saw an opportunity, through participation in war work such as rationing, food preservation, and civic training, to prove their allegiance to the Commonwealth and the country. According to one inmate, Helen C., because of these war efforts the state should "feel confident that they will find from among us some who are, have been and will be worthy citizens when paroled or released and given a chance for rehabilitation."⁷

This chapter examines the State Industrial Farm Colony for Women in Virginia and its publication of "The Citizen," a monthly magazine written and produced by the institution's inmates.⁸ Through close reading of "The Citizen," I show how this effort had

citizenship suggests participation in fulfilling civic duties while status citizenship depends on the legal and cultural definitions of citizenship. For her study, Canaday illustrates the practices of citizenship as an attempt to discover citizenship as a status. This chapter's definition of citizenship falls in line with Canaday's use of the term in *The Straight State*. For other studies on sexual citizenship see Pippa Holloway, *Sexuality, Politics, and Social Control in Virginia, 1920-1945* (Chapel Hill: University of North Carolina Press, 2006); David K. Johnson, *The Lavender Scare: The Cold War Persecution of Gays and Lesbians in the Federal Government*, (Chicago: University of Chicago Press, 2006) and Carolyn Herbst Lewis, *Prescription for Heterosexuality: Sexual Citizenship in the Cold War Era* (Chapel Hill: University of North Carolina Press, 2010).

⁷ Helen C., "Letter from the Editor," *The Citizen*, volume 1 no. 3, August 1942, Accession 36400, Box 1 - Correctional Center for Women at Goochland Records, Department of Corrections (DOC), Elizabeth Kates Papers (EKP), LVA, Richmond, VA.

⁸ To my knowledge, "The Citizen" had a short run in the 1940s and then again in the 1960s. The Library of Virginia has eight issues of the prison publication (November 1941 – December 1944). The McConnell Library Archives houses fifteen issues of the magazine, which were released from autumn 1960 to winter 1966. I have evidence that the readership of "The Citizen" included the inmates and staff of the facility as well as state officials who wrote to the SIFW saying that they were loyal readers. As far as knowing the level of

multiple meanings for the state and for incarcerated women. Indeed, this periodical had a dual purpose for its multiple audiences. For the inmates, “The Citizen” was an essential outlet for self-expression and practice of agency as they used the paper to define what womanhood and good citizenship on their terms. On the other hand, state officials considered this publication as a way for “criminally minded” women to better focus their energy and time. This chapter argues that “The Citizen” exposes how an incarcerated group of women, essentially forgotten citizens, used this periodical to find relief from the day to day drudgery of prison life and prove to the rest of society and the state their allegiance to the well being of the United States.

First issued in November 1941 and continuing through the tumultuous World War II years, “The Citizen” reveals the political and international awareness of its incarcerated contributors. The SIFW’s women participated in charity drives, rationing, and victory gardening in an effort to support the war. Further, through story telling and poetry, contributors to “The Citizen” wrote about the trials and tribulations they faced in their lives prior to their incarceration as well as their lives as incarcerated “criminals.” A close read of “The Citizen” indicates that incarcerated women had hopes for their future, to one day be released, and that their experiences inside those walls could make a difference not just in the

involvement of the Farm’s prisoners, I see from Edith A. Franklin’s memoirs on her time at the SIFW, that the inmates were very active in the magazine’s production. According to Franklin, the librarian on staff oversaw each issue of “The Citizen”, but the inmates, both white and black, took the lead producing the written material, mimeographing, and illustrating. Since the staff at the SIFW read the magazine, I can safely hypothesize that the prisoners most likely censored some of their contributions so as to not upset authorities. I still contend that “The Citizen” stands as a useful source in uncovering the voices of incarcerated women at the SIFW. While I do not argue that they are representative of all institutionalized women in the South, their writings on their lives before and during incarceration offers a useful glimpse and poses important questions as to what life was like for incarcerated women, not only in the South, but nationwide.

present of the war, but in their new lives as rehabilitated citizens. Before the war, these female felons faced uncertain futures upon release from prison, but during World War II they aspired to become active members of the United States female auxiliary corps during their terms and upon release. This shift changed the way incarcerated women understood and measured their citizenship. Now, citizenship included working toward a national and global good. However, this chapter is not about World War II. Instead, it is about how World War II gave the inmates at the State Industrial Farm for Women in Virginia an opportunity to reclaim citizenship while incarcerated in a system that stripped them of citizenship. Indeed, America's entry into World War II transformed these women from social pariahs to instrumental parts of the war machine. In many ways, inmates at the Farm became Rosies "on the inside."⁹

State Industrial Farm for Women

Prior to the opening of the State Industrial Farm for Women in Virginia in 1932, the Commonwealth's courts sentenced female felons to the State Penitentiary and misdemeanants to county jails. Officials believed that incarcerated women had needs that all-male institutions could not address, namely adequate medical care and instruction in "trades" that the state considered useful for their sex. In response, the state hired female matrons, who were often the only women on staff, and attempted to improve the physical facilities in a way that would be more comfortable for the female prisoners. Despite some improvements, authorities in these institutions found the presence of women inconvenient,

⁹ Women "on the inside" and women "on the outside" were common phrases the institution's staff and inmates used to compare incarcerated versus free women. For this reason, I will be using this terminology to juxtapose the two groups.

expensive, and detrimental to the facility. Rice Youell, superintendent of the State Penitentiary, contended that the female prisoners stood as a “menace to the discipline and welfare” of the male prisoners; “I do not believe that men and women should be placed in visual contact in prison. It causes moral perversion, sexual diversion and degeneracy.”¹⁰ Youell also saw the opening of a separate facility for women as an important step in modernizing the carceral state in Virginia. Youell was not alone in his sentiments as superintendents from county jails and reformers expressed similar concerns about sex-integrated incarceration.

The General Assembly authorized a separate women’s prison in 1930 and over the next two years the state constructed the State Industrial Farm for Women in Goochland.¹¹ The SIFW admitted its first inmates on January 4, 1932. When the prison board originally proposed an all-female correctional facility in the Commonwealth a few years earlier, they chose to appoint Dr. Elizabeth Mounce Kates, a respected penologist with years of experience in the care of incarcerated women in West Virginia, as the superintendent of the SIFW.¹² Seeing how quickly the prison reached capacity, Kates envisioned “not one tiny building” for the prison “but a large group of beautiful buildings, adequately staffed and

¹⁰ Paul W. Keve, *The History of Corrections in Virginia* (Charlottesville: University Press of Virginia, 1986), 141.

¹¹ Ibid.

¹² Alderson, West Virginia housed the first Federal Reformatory for Women in the United States. This institution opened in 1927 led by renowned female penologist Mary B. Harris. For the next few years, Dr. Kates worked under Harris’s tutelage, observing innovative reform initiatives and developing a passion for prison reform. Alice Cudlipp, “History of VCCW,” 1, Accession 36400, State Government Records Collection (SGRC), LVA, Richmond, VA.

ministering fully to the bodies, minds and souls of those committed to its custody.”¹³

Originally the SIFW only accepted white female misdemeanants; the state still sentenced white female felons and African American women to the State Penitentiary. However, Kates wanted the SIFW to house all of Virginia’s incarcerated women no matter their crime or race. Her goal was realized in 1939 when, after construction of several buildings was completed, the state transferred all of Virginia’s incarcerated women from the State Penitentiary in Richmond to the SIFW in Goochland.¹⁴

Inmates held at the SIFW in Virginia were either convicted misdemeanants or felons. The state tried misdemeanants in the lower courts and sentencing at the SIFW lasted anywhere from a minimum of 60 days to a maximum of three years. Felons, on the other hand, underwent trial in the higher courts and served longer sentences – from one year to life – for committing serious crimes such as grand larceny, robbery, forgery, embezzlement, bigamy, assault, manslaughter, and murder.¹⁵ The usual population of the prison remained at approximately 225, with felons outnumbering misdemeanants two to one. When the State Farm accepted African American inmates in 1939, black prisoners made up 50 percent of the

¹³ Alice Cudlipp, “History of VCCW,” 1, Accession 36400, State Government Records Collection (SGRC), LVA, Richmond, VA.

¹⁴ Ibid., 3-4.

¹⁵ Edith A. Franklin, “Detained: The Story of a Prison,” 1955, 46-47, Accession 28463, Virginia Correctional Center for Women, personal papers collection, LVA, Richmond, VA; Elizabeth Mounce Kates, “Training [illegible] After Court Commitment,” 3, Accession 36400, Box 1 - Correctional Center for Women at Goochland Records, DOC, EKP, LVA, Richmond, VA.

its population. However, black female felons outnumbered their white counterparts almost four to one. These ratios stayed relatively consistent throughout the institution's history.¹⁶

The inmate population at the SIFW in Virginia was not only biracial, but also varied in age, class, and education. The women came from upper, middle, and lower classes and from both urban and rural areas in the Commonwealth. Some of these women were well educated while others were illiterate and, according to the state, borderline "feeble-minded." When it came to the ages of the women, the population ranged from those who missed the cutoff for juvenile detention by a few months, young mothers, middle-aged women, and elderly grandmothers or as Edith Franklin put it: "There is no one type, just as this is true of women 'on the outside.'"¹⁷ However, according to officials, this diverse group of women did have one thing in common: "mental and emotional immaturity."¹⁸ It was the goal of this institution to transform the female prisoners into a group of well-behaved, upstanding citizens. To do so, they employed a rehabilitative program that sought to "give that help, which should have come years earlier."¹⁹

¹⁶ Elizabeth Mounce Kates, "Training [illegible] After Court Commitment," 3, Accession 36400, Box 1 - Correctional Center for Women at Goochland Records, DOC, EKP, LVA, Richmond, VA.

¹⁷ The State Farm did house a nursery for children born to the inmates within the institution. At times, this nursery held around 25 children who remained at the Farm until reaching two years of age. While there, the volunteer workers at the institution would teach them lessons in obedience. This goes to show how the state not only acted in a parental role towards the inmates, but also took the helm when it came to raising the inmates' own children. Edith A. Franklin, "Detained: The Story of a Prison," 1955, 11, Accession 28463, Virginia Correctional Center for Women, personal papers collection, LVA, Richmond, VA

¹⁸ Edith A. Franklin, "Detained: The Story of a Prison," 1955, 92-93 & 99, Accession 28463, Virginia Correctional Center for Women, personal papers collection, LVA, Richmond, VA.

¹⁹ *Ibid.*, 98.

Since the state deemed the women at the SIFW as immature and in need of guidance, officials adopted a paternalistic role in order to reteach and re-nurture “wayward” women in a way their birth parents did not. Despite the backgrounds and ages of their charges, state officials in and outside of the institution continuously referred to prisoners, both white and black, as their “girls.” In a letter to the institution’s officers, Kates instructed them to “have order and discipline amongst your girls” and “not [to] buy good will of inmates by accepting shoddy work; small amount of work; allowing them to be noisy, untruthful, non-cooperative, and impudent.”²⁰ By demoting grown women to the status of girls, and implementing rules similar to those a parent would give a child, the state stepped in almost as an adoptive parent to the inmates.

Kates established ground rules at the Farm to counteract the pity the staff may have felt for the inmates. To Kates, sympathy could compromise the clear hierarchy and paternalism that she and other professionals saw as a crucial component in the rehabilitation of “wayward” women. Despite such rules designed to distance school officials from their charges, many matrons remained interested in the path of crime that led inmates to the prison, and some even regarded their female prisoners as victims more than criminals.

The stories of SIFW’s inmates suggested that they often broke the law as a way to alleviate the pain, whether physical or mental, their husbands inflicted. Inmates often turned to poetry and storytelling as a way to detail their lives before prison as well as offer an explanation as to why they turned to criminal activity for relief. One poem entitled “The Monkey’s Viewpoint,” written by prisoner Jane Caudill, demonstrates how inmates often

²⁰ Elizabeth Mounce Kates to officers at the State Industrial Farm for Women, memorandum, Accession 36400, Box 1 - Correctional Center for Women at Goochland Records, DOC, EKP, LVA, Richmond, VA.

used anthropomorphism to detail their lived experiences before incarceration. The poem reads:

Three monkeys sat in a coconut tree,
Discussing things as they're said to be,
Said one to the others, "Now listen, you two,
There's a certain rumor that can't be true,
That man descends from our noble race –
The very idea is a disgrace.

No monkey ever deserted his wife,
Starved her babies and ruined her life.
And you've never known a mother monk
To leave her babies with others to bunk,
Or pass them on from one to another,
"Till they scarcely know who's their mother."²¹

One "anonymous" poem described the hardship of life before incarceration and simultaneously complained about the regimented nature of prison life. She writes, "Do as they say or get a report/A serious charge, maybe court...Mama I miss you—when you coming back home/Husband with another woman—free to roam."²² Through a close reading of the poetry and stories composed by these women, it becomes clear that a common theme was the presence of an unfaithful spouse or deadbeat father to their children. "The Citizen," therefore, gave incarcerated women in the Commonwealth an opportunity to share their side of the story and explain why they may have resorted to criminal activity in the first place. By doing so, these women challenged the notion that they were inherently bad citizens. The audience of the magazine was then able to catch a glimpse as to the trials facing some women in the state.

²¹ Jane Caudill, "The Monkey's Viewpoint," Accession 36400, Box 1 - Correctional Center for Women at Goochland Records, DOC, EKP, LVA, Richmond, VA.

²² "Another Place," Accession 36400, Box 1 - Correctional Center for Women at Goochland Records, DOC, EKP, LVA, Richmond, VA.

The staff listened to countless stories of infidelity, abandonment, and economic hardship that led to many inmates' incarceration. One woman had been a trusted employee for years when several members of her family became ill. With limited economic opportunities and little chance of promotion, she began "borrowing" money from her place of employment with the full intention of repaying what she took the following month. When the medical bills continued, it became impossible for her to repay these funds and when the company discovered the discrepancies in their books, they called the police and the state sentenced the woman to prison.²³

The financial difficulty faced by this inmate represents a larger American tradition of economic disparity between the sexes. Historically women were offered drastically fewer earning opportunities than men. The sexual division of labor and "feminization of poverty" contributed to women's inability to acquire full economic citizenship in the United States. The denial of economic opportunities for women drove many to obtain money illegally, and therefore go against the state's definition of good citizenship.²⁴ In the case of the woman mentioned above, her actions led to her incarceration at the SIFW.

²³ Edith A. Franklin, "Detained: The Story of a Prison," 1955, 93-94, Accession 28463, Virginia Correctional Center for Women, personal papers collection, LVA, Richmond, VA.

²⁴ Alice Kessler-Harris, *In Pursuit of Equity: Women, Men, and the Quest for Economic Citizenship in 20th-century America* (New York: Oxford University Press, 2001), 3. According to Kessler-Harris, there is a direct connection between earning power and participation in polity. Without access to the equity of a family wage, women were relegated to the margins of the body politic. For more on the history of women in the workforce and how they influenced government reform throughout the twentieth century see Julia Kirk Blackwelder, *Now Hiring: The Feminization of Work in the United States, 1900-1995* (College Station, Tex.: Texas A & M University Press, 1997); Dorothy Sue Cobble, *The Other Women's Movement: Workplace Justice and Social Rights in Modern America* (Princeton, N.J.: Princeton University Press, 2004); Alice Kessler-Harris, *Out to Work: A History of Wage-earning Women in the United States*, (New York: Oxford University Press, 1982); Nancy MacLean, *Freedom Is Not Enough: The Opening of the American Work Place*

For many years, the staff and inmates at the SIFW discussed developing a quarterly publication for the purpose of informing citizens of Virginia as to the goings-on within the institution. In its inaugural issue, inmate Edith M. explained how the magazine's purpose was to facilitate "self expression . . . form opinions of their own" and keep "the girls alert as to the events of the day."²⁵ For the first time, these women were afforded an interested audience through their participation in "The Citizen." To the inmates, this was their opportunity to challenge the state's judgments against them by proving that they were good citizens of the Commonwealth.

Although the number of subscribers to "The Citizen" is unknown, letters from readers demonstrate how enthusiasm over its publication extended through the upper echelons of Virginian society. In its first issue, "The Citizen" published letters of congratulations from higher ups in Virginia politics and state institutions. Rice Youell, the superintendent of the state penitentiary that campaigned for the establishment of a female prison in Virginia, wrote that the magazine should contribute toward "enhancing" the inmates' "usefulness, to the institution." He continued by stating how the magazine would help the inmates by

(New York: Russell Sage Foundation, 2006) and Annelise Orleck, *Common Sense and a Little Fire: Women and Working-class Politics in the United States, 1900-1965* (Chapel Hill: University of North Carolina Press, 1995).

²⁵ Edith M., "Letter from the Editor," *The Citizen*, volume 1 no. 1, November 1941, Accession 36400, Box 1 - Correctional Center for Women at Goochland Records, DOC, EKP, LVA, Richmond, VA, 1. Throughout this chapter, I will refer to the individual inmates by the names printed in "The Citizen." The magazine did not disclose last names as a way to maintain privacy. For this chapter, it is important to provide the inmates name as it is written so as to not portray these women as a monolithic group, but instead to try and showcase their individuality in addition to their voices.

“enhancing [their] usefulness . . . as well as the citizens of our State.”²⁶ Colonel Walker C. Cottrell, Chairman of Virginia’s Prison Board stated the publication “should give many resident in the institution an opportunity which they would perhaps hesitate to use elsewhere” and then declared that he “shall read with interest your responses and note your use of opportunity.”²⁷ These letters showed the inmates that their audience included the very people that controlled their fate. The women accounted for their citizenship throughout the pages of the magazine and by doing so, hoped to impress upon officials in Virginia’s carceral system their ability to be contributing members of society.

Perhaps the most prestigious subscriber in 1941 was Lillian Price, the wife of then Virginia Governor James Hubert Price. In her enthusiastic letter to the SIFW, the First Lady of Virginia from 1938-1942 stated, “The institution is doing splendid work, and the people of Virginia should know more about its activities and its program for preparing the girls to meet the responsibilities of life and perform the duties of good citizens in the society of the Commonwealth.”²⁸ Price promised to remain an avid reader of “The Citizen,” and with such an influential reader, the inmates had a direct line to Virginia’s chief executive, a man capable of administering pardons without need of approval from other governing bodies. “The Citizen,” then, became the ideal platform to declare their good character.

²⁶ Major Rice M. Youell, “Letter to the Editor,” *The Citizen*, volume 1 no. 1, November 1941, 5, Accession 36400, Box 1 - Correctional Center for Women at Goochland Records, DOC, EKP, LVA, Richmond, VA.

²⁷ Colonel Walker C. Cottrell, “Letter to the Editor,” *The Citizen*, volume 1 no. 1, November 1941, 4, Accession 36400, Box 1 - Correctional Center for Women at Goochland Records, DOC, EKP, LVA, Richmond, VA.

²⁸ Mrs. James H. Price, “Letter to the Editor,” *The Citizen*, volume 1 no. 1, November 1941, 3, Accession 36400, Box 1 - Correctional Center for Women at Goochland Records, DOC, EKP, LVA, Richmond, VA.

Page one of the first issue of the magazine stated, “A citizen owes allegiance to and is entitled to protection from the country and the community in which he lives.” The writer recognized that this patriotism was subjective and that it was up to each inmate to “express [their] ways and means of interpreting allegiance.”²⁹ This description of what citizenship meant to the inmates uncovers a complex understanding of their relationship with the state. While incarceration stigmatized those incarcerated, the inmates looked for an opportunity to recover their agency and citizenship, which was stripped away by the carceral state.

War Work Comes to the SIFW

In just the next month, December 1941, women at the SIFW were forced to change how they understood and fulfilled American citizenship. Rather than demand protection from the state, the inmates felt compelled to protect the country. The attacks on Pearl Harbor and subsequent entry into World War II sent American industry into a period of production in support of military mobilization at unprecedented levels. With the tremendous demand for labor, and the entrance of more and more women into the workforce in support of the war effort, traditional gender roles changed as women filled jobs usually occupied by men.³⁰

Whereas before, social constructs assigned white middle and upper class women to homemaking, the departure of men to fight the enemy left an employment vacuum that the

²⁹ *The Citizen*, volume 1 no. 1, November 1941, Accession 36400, Box 1 - Correctional Center for Women at Goochland Records, DOC, EKP, LVA, Richmond, VA.

³⁰ For more on women’s role in industry during World War II see Karen Anderson, *Wartime Women: Sex Roles, Family Relations, and the Status of Women during World War II* (Westport, Conn.: Greenwood Press, 1981); Alice Kessler-Harris, *Out to Work: A History of Wage-earning Women in the United States*, (New York: Oxford University Press, 1982) and Ruth Milkman, *Gender at Work: The Dynamics of Job Segregation by Sex during World War II* (Urbana: University of Illinois Press, 1987).

United States needed to fill – women eagerly answered the call, much as they had during World War I. Women “on the inside” of the SIFW proved very eager to join their counterparts on the outside in supporting the war effort in new ways. The needs of war demanded a large workforce, which provided women throughout the United States an opportunity to join industry in unprecedented numbers: approximately 5 million women worked in heavy industries between 1940 and 1944.³¹ In that sense, the SIFW represented a microcosm of larger changes in employment and gender roles in American society during the war. Inmates in the SIFW joined these efforts but in the confines of prison.

World War II, according to the contributors to “The Citizen,” brought about “a new time – with a new meaning for us as well as for everyone in our country.” Rather than dwell on their lives before imprisonment, the war inspired the inmates to adopt “new thoughts of good citizenship.” Contributors to the magazine emphasized how war work required “discipline and self-control,” two things the state believed criminally minded women lacked.³² Whatever “idleness” dominated their thoughts and actions needed to be eradicated for the good of the war effort. As women at the SIFW saw it, World War II gave them an opportunity to redefine themselves and prove to outsiders that they were worthy of first class citizenship.

However, women held at the State Farm in Virginia had to practice their citizenship “within limits.” While women “on the outside” had the ability to leave the confines of domestic life to work in American factories and auxiliary corps, Virginia’s female inmates

³¹ Alice Kessler-Harris, *Out to Work: A History of Wage-earning Women in the United States* (New York: Oxford University Press, 1982), 273.

³² “War Time,” *The Citizen*, volume 1 no. 2, March 1942, Accession 36400, Box 1 - Correctional Center for Women at Goochland Records, DOC, EKP, LVA, Richmond, VA.

had to do the best with their situation. Until their release, these women needed to limit their civil service to the physical borders of the prison. Inmate Marie W. encouraged her fellow inmates to remain loyal to President Roosevelt and the government, devote their time to the Red Cross, learn first aid, cooperate with those in authority, keep calm, and “plan and prepare for the time when we can get into more active service.” She calls on her fellow inmates, to “seek to serve where we are, and prove that we are good citizens.”³³

The women’s many efforts to prove their patriotism did not go unnoticed. One of the prison’s projects, the making and selling of defense corsages, picked up the attention of local newspapers in Richmond.³⁴ When discussing this fundraising project, the *Times Dispatch* reported, “It might be natural to assume that the people who have lost their own liberty for a time and are shut away from the world in State Institutions have little interest in the great war for human liberty, in which the world is now engaged. But it doesn’t work that way.” According to the article, the women at the Farm Colony “learned the value of liberty” and in many ways it meant “more to them” than it did to many of the citizens of Virginia.³⁵ Having experienced the carceral removal of freedom, women at the SIFW felt compelled to fight twice as hard to gain it back. Not only were these inmates participating in similar war work,

³³ Marie W., “What Can We Do?,” *The Citizen*, volume 1 no. 2, March 1942, 17, Accession 36400, Box 1 - Correctional Center for Women at Goochland Records, DOC, EKP, LVA, Richmond, VA.

³⁴ Defense corsages, also called “warsages,” were clothing adornments made from war stamps in lieu of flowers. Various women’s clubs made and sold defense corsages as a way to sell war stamps. For more see Jennifer Marie Biser, “Homefront Heroines: The Wartime Contributions of Civic Women in Whiteville, North Carolina,” paper, Chapel Hill: University of North Carolina.

³⁵ John Riis, “Women at State Farm Make War Saving Stamp Corsages,” *Times Dispatch*, as seen in *The Citizen*, volume 1 no. 3, August 1942, 5, Accession 36400, Box 1 - Correctional Center for Women at Goochland Records, DOC, EKP, LVA, Richmond, VA.

they were assisting in efforts to protect a country and community that had essentially failed them, at least in their estimation.³⁶ Inmates at the Farm used women “on the outside” as measuring sticks for the type of patriotism they needed to match. However, these women needed to exceed the level of civic duty displayed by free women in order to redeem their good standing in the state.

Despite their inability to leave the prison, the descriptions of the inmates’ war work inside the institution was often indistinguishable from that of women “on the outside.” These wartime activities included preparing for and living through blackouts, growing war gardens, learning first aid, and working with heavy machinery.³⁷ According to Edith Franklin, the inmates accepted the demands of war “cheerfully because they knew the same thing was happening at home.”³⁸ Women at the SIFW also experienced the same worry about loved ones fighting in the war as those “on the outside” of prison. Out of the population of 272 inmates and staff at the SIFW, 234 had a husband, son, nephew, cousin, or son-in-law in the military. One inmate had nine family members in the armed services during the war. The incarcerated women with loved ones fighting overseas continuously worried when reports of

³⁶ Government officials would disagree to the notion that the state contributed to the demise of incarcerated women. According to carceral policies throughout the United States, an inmate’s family, circumstance, and or nature acted as the single most important factors contributing to criminal tendencies. For more on how the state understood the origins or motivation of crime see William S. Bush, *Who Gets a Childhood?: Race and Juvenile Justice in Twentieth-century Texas* (Athens, Ga.: University of Georgia Press, 2010); James Burkhart Gilbert, *A Cycle of Outrage: America's Reaction to the Juvenile Delinquent in the 1950s* (New York: Oxford University Press, 1986) and Allison Leigh Hughes, “Turning Bad Girls into Ladies: Female Juvenile Delinquency in Texas in the Twentieth Century” (master’s thesis, Texas State University, 2012).

³⁷ Alice Cudlipp, “History of VCCW,” 7, Accession 36400, SGRC, LVA, Richmond, VA.

³⁸ Edith A. Franklin, “Detained: The Story of a Prison,” 1955, 24, Accession 28463, Virginia Correctional Center for Women, personal papers collection, LVA, Richmond, VA.

casualties came through in news reports. The arrival of letters reporting on soldiers missing in action or shot down over Germany made the “war become real” to women at the SIFW.³⁹

Bertha R.’s son served in the 176th infantry of the U.S. Army. This uniquely Virginian infantry originated well before the American Revolution.⁴⁰ In a poem dedicated to her son, Bertha describes how when she prays for his unit in one of the gardens on the campus, the plants and leaves cry with her. She realizes during this somber moment that mothers with sons in the infantry have recited these same prayers in every American conflict.⁴¹ Bertha’s poem reveals a kinship she felt with women of her state. Further, the fact that her child was fighting for his country and Commonwealth dispelled any doubt as to her ability to raise a good citizen. In many ways, her son’s service confirmed not only his own good citizenship, but testified to that of his mother’s, which the state, through incarceration, had called into question.

Much as it did women “on the outside,” the war altered the lives and day-to-day experiences of everyone at the SIFW. Inmates in the institution witnessed a change in the courses and discussions offered. Whereas before their schedules consisted mostly of dances and performances, beginning in 1942 their year was filled with “current event programs” in which inmates and staff discussed war related topics such as defense work, what to do in an

³⁹ Ibid.

⁴⁰ Arnold M. Lewis, *A Brief History of the 176th Infantry* (Whitefish, MT: Kessinger Publishing, 2010).

⁴¹ Bertha R., “To the 176th Infantry (1652-1943),” *The Citizen*, volume 2 no. 1, May 1943, 11, “Folder – The Citizen 1943,” Accession 36400, Box 1 - Correctional Center for Women at Goochland Records, DOC, EKP, LVA, Richmond, VA.

air raid, music in the war, present day situations in countries around the world, and first aid.⁴²

The institution, then, acted as an almost women's auxiliary unit in which the inmates became experts in civil defense.

Religious training at the SIFW became inseparable from war work and occupied the inmates' time between tasks. In a note about victory gardens, Kates compared the SIFW's gardens to the Garden of Gethsemane. Using rhetoric tinged with religiosity, Kates stated, "Again war has brought a need of self-sufficiency and we turn again to the earth to help supply each his daily bread."⁴³ During the war years, Kates frequently invited guests to come speak to the women in the hope of inspiring Christian based rehabilitation. Maud Ballington Booth, co-founder of Volunteers of America, a faith-based human services organization established in 1896, was a well-received guest lecturer who spoke of law, love, and service. "Law," according to Booth, "is a cruel thing which helps wrong-doing rob sufferers of liberty." On the other hand, Booth stated, "law is protection" and it was important for these women to abide by rules and fashion their lives after Christ.⁴⁴ She continued by encouraging the women to love and serve as Jesus did. According to Lenora J., an African American inmate at the SIFW, the visit by Booth gave her "hope for a brighter

⁴² "The Course of Events," *The Citizen*, volume 1 no. 2, March 1942, 26-28, "Folder – The Citizen 1943," Accession 36400, Box 1 - Correctional Center for Women at Goochland Records, DOC, EKP, LVA, Richmond, VA.

⁴³ Elizabeth M. Kates, "Victory Gardens," *The Citizen*, volume 1 no. 2, March 1942, 3, Accession 36400, Box 1 - Correctional Center for Women at Goochland Records, DOC, EKP, LVA, Richmond, VA.

⁴⁴ Helyn S., "An Enjoyable Visit," *The Citizen*, volume 2, no. 2, August 1943, 11, "Folder – The Citizen 1943," Accession 36400, Box 1 - Correctional Center for Women at Goochland Records, DOC, EKP, LVA, Richmond, VA.

future.”⁴⁵ It was not enough that the women at the SIFW dedicated their time to the war effort, they also needed to surrender and reform their souls spiritually. In order to display their Christian faith to their esteemed audience, inmates filled the pages of “The Citizen” with professions of their spiritual convictions as a way to demonstrate a type of “civic religion” and meet the state’s prerequisites of good citizenship.

Intermingled with professions of loyalty to God and country, the pages of “The Citizen” include examples of how these women understood the world and global citizenship. Almost every wartime issue provided a discussion on how the war was changing countries around the world. They published and read articles on Tahiti, the Battle of Egypt, and why it was important for the British to keep the Suez Canal. In addition to publishing articles on global affairs, the inmates participated in mock United Nations meetings where six women “represented” global superpowers. During these sessions, the women stated why they were proud to be from the country they chose. Their answers provide a telling glimpse into how these incarcerated women perceived the rest of the world. According to the “representative” from Russia, citizens of “her country” had “everything to give to our government and our government gives us what we need. We call it Communism.” The “diplomat” from Japan expressed how her small country “believes in the rule of the strong over the weak by physical force in power.” Germany, according to one inmate, “is a great fatherland,” and although she confesses, “it is hard to serve under Hitler,” it was what was best for the people as it allowed them to “gain what we need from his rule of strength.” The representatives from England and the United States challenged those ideas from the Axis powers by expressing their countries’

⁴⁵ Letter from Lenora J., *The Citizen*, volume 2, no. 2, August 1943, 11, “Folder – The Citizen 1943,” Accession 36400, Box 1 - Correctional Center for Women at Goochland Records, DOC, EKP, LVA, Richmond, VA.

desire for world peace and equality. According to the inmates, exercises such as this “showed the kindness of America to other nations, her friendliness and consideration toward hostile nations, even though we are at war.”⁴⁶

These discussions of international affairs expose how, despite their physical relegation to prisons, inmates at the SIFW had some, although limited, understanding of what was occurring in both the state, national, and global community. From these exercises, traditional notions of American exceptionalism seeped through the women’s descriptions of the United States.⁴⁷ According to the inmates, Americans “cannot help but rejoice” in their country’s ability to boast high wages and living standards, natural riches and resources, low death rates due to advancements in medical science, and the production of consumer goods.⁴⁸ To the women at the SIFW, these attributes are what made the United States an anomaly and envied throughout the world.

When the inmates were not studying or discussing the troubles with international affairs, they were dreaming of traveling the world. Acknowledging that in their particular circumstance world travel was out of the question, many women daydreamed as to what it

⁴⁶ “The Fourth of July Program,” *The Citizen*, volume 1 no. 3, August 1942, 37, Accession 36400, Box 1 - Correctional Center for Women at Goochland Records, DOC, EKP, LVA, Richmond, VA.

⁴⁷ Debates surrounding American exceptionalism remain central in how historians interpret and teach United States history. In recent years, the myth of American exceptionalism has become an interesting theme in historical debates. For more on American exceptionalism and the challenges to this ideology see Ian Tyrell, “American Exceptionalism in an Age of International History,” *American Historical Review* 96 (1991): 1031-1072; Michael Kammen, “The Problem of American Exceptionalism: A Reconsideration,” *American Quarterly* 45 (1993): 1-43; Daniel T. Rodgers, “Exceptionalism,” in *Imagined Histories*, ed. Anthony Molho and Gordon Wood (Princeton: Princeton University Press, 1998).

⁴⁸ Mildred S., “I Pledge Allegiance,” *The Citizen*, volume 1 no.4, December 1942, Accession 36400, Box 1 - Correctional Center for Women at Goochland Records, DOC, EKP, LVA, Richmond, VA.

would be like to vacation in another country. When Bertha R. heard the hums of the shop machine, she traveled “a million miles” from New York to Hong Kong, Moscow to “gay Paree.” Katherine S., understanding that “since it is against the rules and regulations in reality to leave the State grounds without an escort,” that she must then “travel the imaginary way and sail to Switzerland.”⁴⁹ Their stories demonstrate how they interpreted other cultures, but while Bertha and Katherine wanted to experience the relaxation and opportunity offered by these adventures, some inmates expressed great disappointment with those who participated in leisurely travel during a time of war. Ruth J. suggested instead that their time would be better spent traveling to “war-worried countries where there are many people, women, men, and children, who are suffering.” However, since Ruth could not leave the SIFW, she conceded that her time would be better spent staying home and giving her money to the war effort rather than travel.⁵⁰

This is not to say that women at the SIFW did not contribute to international causes. Inmates at the SIFW fundraised and donated money to various international aid organizations such as the Mayling Soong Foundation, which sought to educate American students on East

⁴⁹ While the stories produced for “The Citizen” indicates that the inmates had some global awareness, these writings also expose that their knowledge of the world war limited at best. Instead, they relied on what they though they knew about other countires and cultures. This is not to discredit the inmates, however. These articles on travel and international affairs still expose how they thought not only beyond the confines of the prison, they thought beyond the confines of their community, state, and country. Bertha R., “The Hum of the Shop Machine,” *The Citizen*, volume 1 no. 1, November 1941, 25, Accession 36400, Box 1 - Correctional Center for Women at Goochland Records, DOC, EKP, LVA, Richmond, VA; Katherine S., “Vacationing in Switzerland,” *The Citizen*, volume 2, no. 2., August 1943, 8, “Folder – The Citizen 1943,” Accession 36400, Box 1 - Correctional Center for Women at Goochland Records, DOC, EKP, LVA, Richmond, VA.

⁵⁰ Ruth J., “Vacation Thoughts,” *The Citizen*, volume 2, no. 2., August 1943, 19, “Folder – The Citizen 1943,” Accession 36400, Box 1 - Correctional Center for Women at Goochland Records, DOC, EKP, LVA, Richmond, VA.

Asian history and customs. Wellesley College established the Foundation in 1942 to honor one of their most esteemed alumni Madame Chiang Kai-shek, First Lady to the Republic of China from 1948-1975, on the 25th anniversary of her graduation from the College.⁵¹ Marie Haffenreffer, secretary of the Foundation, wrote a letter of appreciation for the ten-dollar donation made by the women at the State Farm. She stated “the gift is gratifying and stimulating evidence of how widespread...the generous instinct of sympathetic understanding [is] for the peoples of the Orient.” She continued by saying how other members of the Foundation will be as “touched” as she was with the “fact that your women have been given this sort of vision.”⁵²

It may have come as a surprise that incarcerated women were in tune with and willing to donate their meager funds to an international aid organization, but inmates at the Farm were very aware of and admired Madame Chiang Kai-shek. In fact, the wife of China’s generalissimo remained at the center of many international discussions at the Farm. To Virginia’s incarcerated women, Madame Chiang was the epitome of female progress. “China” according to Bertha R., “had her Queens and Empresses, but no women in China before Madame Chiang Kai-shek...was spokesman and co-ruler of China’s 450,000,000 people.” Using Madame Chiang Kai-shek’s successes as a measuring stick, inmates argued

⁵¹ “The Mayling Soong Foundation,” Wellesley College, accessed May 6, 2016, <http://www.wellesley.edu/msc/history>.

⁵² “The Mayling Soong Foundation,” *The Citizen*, volume 3, no. 3, December 1944, 9, “Folder – The Citizen 1944,” Accession 36400, Box 1 - Correctional Center for Women at Goochland Records, DOC, EKP, LVA, Richmond, VA. For more on the life and work of Madame Chiang Kai-shek see Laura Tyson Li, *Madame Chiang Kai-Shek: China's Eternal First Lady* (New York: Grove Pr., 2006); Hannah Pakula, *The Last Empress: Madame Chiang Kai-Shek and the Birth of Modern China* (New York: Simon & Schuster Paperbacks, 2010) and Samuel C. Chu and Thomas L. Kennedy, eds., *Madame Chiang Kai-shek and Her China* (Norwalk, Conn.: EastBridge, 2005).

that other countries paled in comparison to the type of gender equality that existed in China as well as the United States. However, while they acknowledged the progress towards women's equality in their own country, they also confirmed that there was much work to be done. According to Bertha, "since women have sense enough to vote, one out of our millions of women should have sense enough to be president, and not by proxy."⁵³ In this way, the inmates redefined traditional understandings of female citizenship. Whereas the state and society saw women as meek domestic dwellers, women at the SIFW started recognizing the untapped potential of their sex. These demands uncover an unintended consequence of incarcerating a large group of women into one institution – collective identity. By institutionalizing groups of women, the state inadvertently gave these inmates a chance to exchange ideas about and criticize women's assigned role in society.

World War II enabled the women at the SIFW to learn more about their place as women, not only in their state and country, but also in the world. The slurry of international events of the 1940s gave these women an opportunity to develop an understanding women's role in the United States and the world.⁵⁴ The inmates believed that women had achieved their place "because her instincts are born of freedom and equality with the opposite sex."

⁵³ Bertha R., "Women and Power," *The Citizen*, volume 3 no. 2, April 1944, 12-13, "Folder – The Citizen 1944," Accession 36400, Box 1 - Correctional Center for Women at Goochland Records, DOC, EKP, LVA, Richmond, VA.

⁵⁴ This is not to suggest that the inmates adopted or used the phrase "global feminism." I suggest instead that their discussions on women in the world reflect similar yet contemporary understandings of global feminism.

Further, they believed that “The American woman stands high on the pedestal of admiration and is envied through-out the world.”⁵⁵

Women at the SIFW frequently discussed notions of womanhood and what that meant in relation to their citizenship in the United States. On the one hand, World War II proved to them that women were just as capable as men of working in the public sphere. On the other hand, women at the SIFW understood the importance of keeping up their more feminine attributes, more specifically in regard to their physical shape and appearance, as a way to please the opposite sex and maintain social constructs of gender that existed in society. Instead of being in opposition to one another, these two characteristics of womanhood came together to redefine what it meant for these inmates to be women in their community.

As the war progressed, the inmates often discussed the history and progress of American women. Lenora J. asked the inmates at the institution to remember a time when society viewed women as “meek and mild creatures, to be waited upon and adored.” She continues by pointing out how as generations passed, women gained more and more freedoms while World War II challenged antiquated inequalities. Lenora points out that with the world at war “women have become vital and necessary.”⁵⁶ While their war efforts provided the inmates an opportunity to perform and display their patriotism, as well as participate in the changing meaning of womanhood, these activities also contributed to the upkeep of their feminine form. The physical strain of growing and harvesting a victory

⁵⁵ Bertha R., “The Victory Garden,” *The Citizen*, volume 2 no. 1, May 1943, 11, “Folder – The Citizen 1943,” Accession 36400, Box 1 - Correctional Center for Women at Goochland Records, DOC, EKP, LVA, Richmond, VA.

⁵⁶ Lenora J., “WAACS and Women Today,” *The Citizen*, volume 2 no. 1, May 1943, 24, “Folder – The Citizen 1943,” Accession 36400, Box 1 - Correctional Center for Women at Goochland Records, DOC, EKP, LVA, Richmond, VA.

garden not only helped Uncle Sam, but also who among them, asked Bertha, “would not like to look chic in an auxiliary uniform?” She reminds the other women at the Farm that if keeping their girlish figures was a priority then they needed to go “easy on the calories and heavy on the vitamins.” “So bend down, sisters,” Bertha declared, “it is good for the waist line.”⁵⁷

Instead of feeling burdened with fuel and food rationing, the women at the SIFW saw these restrictions as a way to improve their physical health, figure, and beauty. Jessie H., while discussing the limits of transportation because of fuel shortages, highlighted the health benefits of walking and biking. Coupling this “good clean exercise” with food restrictions allowed the women to keep their figures “trim” and their bodies “in better health.” She acknowledged that they may miss the ability to ride in cars and eat as they did before, “but in the end” they were “better off for it.”⁵⁸ The consumption of food became limited further when the inmates discovered the beauty benefits vegetables and fruits their victory gardens provided. Since they used most of their money to purchase war bonds, the inmates at the SIFW, just as women “on the outside,” found creative ways to supplement their beauty regimens. Bertha R. offers her fellow inmates a myriad of beauty tips such as using strawberry juice to bleach freckles, and egg whites to erase wrinkles.⁵⁹ While the task

⁵⁷ Bertha R., “The Victory Garden,” *The Citizen*, volume 2 no. 1, May 1943, 2, “Folder – The Citizen 1943,” Accession 36400, Box 1 - Correctional Center for Women at Goochland Records, DOC, EKP, LVA, Richmond, VA.

⁵⁸ Jessie H., “Letter from the Editor,” *The Citizen*, volume 2, no. 2., August 1943, 2, “Folder – The Citizen 1943,” Accession 36400, Box 1 - Correctional Center for Women at Goochland Records, DOC, EKP, LVA, Richmond, VA.

⁵⁹ Bertha R., “The Victory Garden,” *The Citizen*, volume 2 no. 1, May 1943, 2, “Folder – The Citizen 1943,” Accession 36400, Box 1 - Correctional Center for Women at Goochland Records, DOC, EKP, LVA, Richmond, VA.

of planting war gardens put on display their patriotism, the attention paid to their physical appearance helped restore a femininity that incarceration took from them. Because of the disproportionate number of men housed in the carceral system, criminality was often associated with masculinity so the women used these techniques to distance themselves from traditional definitions of prisoners. Further, since the state viewed cleanliness as a prerequisite of citizenship, it was important for the inmates to express to their readership the diligence paid to their physical well-being.

The importance of staying physically fit, healthy, and hygienic was a message promoted by the state as well as the inmates. Correcting “humiliating” blemishes and “unsightly complexions” went a long way “toward restoring . . . self-respect – and rehabilitation is impossible without self-respect.”⁶⁰ After all, the state contended, the men who would eventually return home from war did not want to come home to unattractive or “unclean” women. In an article written by W.C. Morehead, the medical official at the institution, stated, “When our 10,000,000 service men come back weary and old for their years, they will not crave the ‘glamour girl’ nor the ‘casual girl.’” Instead, according to Morehead, these men would seek the “straight-thinking, physically, mentally sound” women that were capable of sharing a happy home and, most importantly, be the “worthy mothers” of “strong, normal children.” Mentally or physically sick women were incapable, according

⁶⁰ Edith A. Franklin, “Detained: The Story of a Prison,” 1955, 35, Accession 28463, Virginia Correctional Center for Women, personal papers collection, LVA, Richmond, VA. The hygiene of inmates was not only important to state officials in Virginia. The physical appearance and “cleanliness” of women remained central to the rehabilitation process in states across the nation. For more on the importance of physical appearance and hygiene in state carceral institutions see Allison Leigh Hughes, “Turning Bad Girls into Ladies: Female Juvenile Delinquency in Texas in the Twentieth Century” (master’s thesis, Texas State University, 2012).

to the state, of producing good citizens.⁶¹ Fulfilling a woman's "highest destiny," motherhood, would be impossible to accomplish if she continued to "disregard every law of decent living, with all the attendant ill-health, degeneracy and dishonor." Physical health and purity, according to Morehead, would seal the victory against Germany and Japan, a victory that would be "a hollow mockery" if women did not respect their bodies as temples and determine themselves to be the mothers of "true civilization." The article concludes by stating without this dedication to cleanliness, the men who died in battle would have made their "sacrifice in vain."⁶² To the state, the sexual purity of their female citizenry was synonymous with victory against the Axis. Therefore, if women at the SIFW wanted to prove their patriotism, they needed to resist promiscuity once returned to society.⁶³

⁶¹ As discussed in Chapter 2, the argument that only physically and mentally fit women were capable of producing good citizens was popular throughout much of the twentieth century and finds its origins in the Progressive Era eugenics movement. For more on the history of Eugenics and sterilization in the United States see Mark H. Haller, *Eugenics: Hereditarian Attitudes in American Thought* (New Brunswick, N.J.: Rutgers University Press, 1984); Wendy Kline, *Building a Better Race: Gender, Sexuality, and Eugenics from the Turn of the Century to the Baby Boom* (Berkeley: University of California Press, 2005); Rebecca M. Kluchin, *Fit to Be Tied: Sterilization and Reproductive Rights in America, 1950-1980* (New Brunswick, N.J.: Rutgers University Press, 2011); Edward J. Larson, *Sex, Race, and Science: Eugenics in the Deep South* (Baltimore: Johns Hopkins University Press, 1996) and Johanna Schoen, *Choice and Coercion: Birth Control, Sterilization, and Abortion in Public Health and Welfare* (Chapel Hill: University of North Carolina Press, 2005).

⁶² W.C. Morehead, R.N., "Survival of the Fittest," *The Citizen*, volume 3 no. 2, April 1944, 8, "Folder – The Citizen 1944," Accession 36400, Box 1 - Correctional Center for Women at Goochland Records, DOC, EKP, LVA, Richmond, VA. For more on the sexual expectations of women during World War II see, Susan M. Hartmann, Karen Anderson, *Wartime Women: Sex Roles, Family Relations, and the Status of Women during World War II* (Westport, Conn.: Greenwood Press, 1981); *The Home Front: American Women in the 1940s* (Boston: Twayne, 1982); Marilyn E. Hegarty, *Victory Girls, Khaki-wackies, and Patriotutes: The Regulation of Female Sexuality during World War II* (New York: New York University Press, 2010) and Melissa A. MacEuen, *Making War, Making Women: Femininity and Duty on the American Home Front, 1941 - 1945* (Athens, Ga.: Univ. of Georgia Press, 2011).

⁶³ Historians have come to show how, throughout American history, times of war inspire

Officials at the State Farm in Virginia marked a noticeable difference between the hygiene and beauty practices of the white and African American inmates at the institution. When commenting on her experience as hall matron for the African American women in Cottage One, Edith Franklin noted that it “was not easy” for these particular inmates to “settle down into the more civilized atmosphere of their personal surroundings, in which cleanliness...was expected of them.” Clothing the African American inmates was a particular challenge according to Franklin because black women tended to be “larger than the average size of white women.” The grooming habits of the black inmates were also somewhat of a spectacle to Franklin. Every Sunday morning, the black inmates began their “ritual of ‘fixing hair.’” “To a white woman who has never known of this before,” wrote Franklin, “it is a wonderful performance” that involved the application of hot oils and straightening combs. Franklin explains to her white audience how “Negroes have very little

concern over the sexual practices of their citizens. As Nancy K. Bristow shows how stopping the spread of venereal disease among soldiers in World War I became a central campaign for President Woodrow Wilson and the Commission on Training Camp Activities (CTCA). Margot Canaday takes a different approach to the history of sexuality and war by evaluating how the United States government sought to remove suspected gays and lesbians from government and military service, and as a result, contributed to the development of a homosexual identity. For more on the state’s concerns over sexuality in time of war see Nancy K. Bristow, *Making Men Moral: Social Engineering during the Great War* (New York: New York University Press, 1996); Margot Canaday, *The Straight State: Sexuality and Citizenship in Twentieth-century America* (Princeton, N.J.: Princeton University Press, 2009), Leisa D. Meyer, *Creating GI Jane: Sexuality and Power in the Women's Army Corps during World War II* (New York: Columbia University Press, 1996); David K. Johnson, *The Lavender Scare: The Cold War Persecution of Gays and Lesbians in the Federal Government* (Chicago: University of Chicago Press, 2006) and Carolyn Herbst Lewis, *Prescription for Heterosexuality: Sexual Citizenship in the Cold War Era* (Chapel Hill: University of North Carolina Press, 2010).

natural oil in their hair,” therefore weekly application of the oil was an essential step in a beauty routine that remained foreign to white women.⁶⁴

Black inmates were all too aware of their secondary and objectified status within the SIFW as well as society as a whole. Before the opening of three new cottages at the Farm in 1939, the state housed convicted black women along side male convicts in the state’s penitentiary. Just as white women, once black women arrived to the SIFW, they underwent a classification process where the staff at the institution would evaluate the mental and physical capacity of incoming prisoners. A normally monotonous process would experience “brightened flashes of real humor and wit,” according to Franklin, “especially when an intelligent Negro girl” came before the Board.⁶⁵ Once in the institution, African American women were not only segregated to Cottage One, the original building located on the property, their work was also relegated to laundry and janitorial services. Variety in their daily responsibilities and activities did not occur until the U.S. entry into World War II when many of the black inmates took up the task of making clothes for the Red Cross.⁶⁶

⁶⁴ Edith A. Franklin, “Detained: The Story of a Prison,” 1955, 18, Accession 28463, Virginia Correctional Center for Women, personal papers collection, LVA, Richmond, VA. For more historical analysis of African American understandings of appearance and beauty see Ingrid Banks, *Hair Matters: Beauty, Power, and Black Women's Consciousness* (New York: New York University Press, 2000); Ayana D. Byrd and Lori L. Tharps, *Hair Story: Untangling the Roots of Black Hair in America* (New York: St. Martin's Griffin, 2014); Althea Prince, *The Politics of Black Women's Hair* (London, Ontario: Insomniac Press, 2009) and Noliwe M. Rooks, *Hair Raising: Beauty, Culture, and African American Women* (New Brunswick, N.J.: Rutgers University Press, 1996).

⁶⁵ Edith A. Franklin, “Detained: The Story of a Prison,” 1955, 42, Accession 28463, Virginia Correctional Center for Women, personal papers collection, LVA, Richmond, VA.

⁶⁶ *Ibid.*, 16 & 23.

Segregation extended further to impact the extra-curricular activities of the inmates. While white women enjoyed their religious services in the comfort of a common living area, the staff at the Farm relegated African American activities to the basement. Further, while the institution offered instruction for white women on how to cook and serve their future or existing families, the staff adjusted these classes for African American inmates who learned instead how to cook and waitress in commercial kitchens. When World War II stripped the institution of its kitchen staff, the authorities on the Farm felt “fortunate” to have an African American population to take over in the preparation and serving of food to white inmates and staff. One inmate in Cottage One requested from the library a cookbook about salads in the hopes of cooking for a “rich family” upon her release.⁶⁷

The institution did not offer its black inmates a break from the same prejudices they faced before incarceration. If anything, the state’s discrimination and stereotypes against African American womanhood intensified on the Farm. Regarding these women as spectacles and segregating them from the white prison population, the state transformed black inmates into objects of ridicule rather than women in need of rehabilitation. Despite this, African American inmates partook in war work at the SIFW in the same capacity as white inmates, as well as actively participated in contributing to “The Citizen.” Black women, because of their race, may have had a harder time convincing the state of their good citizenship, but it did not stop them from trying to show authorities that they too deserved the full rights of citizenship.

“After Prison, What?”

⁶⁷ Ibid., 65-66.

How the inmates saw their lives after parole changed with the U.S. involvement in World War II. Before this time, the women held at the SIFW were unsure of what to do with their lives after their release from the institution. In the November 1941 issue of “The Citizen,” Mae D., when writing on her plans for post-prison life, questions what she could do “after leaving this institution that will be uplifting” to herself and the community. According to Mae, her two options were to be an asset to the state or return to the institution for further punishment. Her conclusion was to accomplish three things: give her life to Jesus, get an education, and make an honest living. However, the specifics as to how she would make a living are absent from her mind. The barriers women faced in the work force prior to World War II most likely facilitated these uncertainties. Mae wonders if “this is really my determination or am I just ‘blowing my top’ to display [my] mental ability to readers of the Citizen?” Regardless of the unknowns Mae faced upon parole, she made resolutions to reach her goal.⁶⁸

Many of the inmates shared the uncertainty Mae felt, that is, until World War II offered them an opportunity of economic and social advancement that did not exist for women before the war. Before the Parole Board granted release to a prisoner, the inmate needed to prove that they could “become a useful citizen” of their community.⁶⁹ “The Citizen” acted as proof to this point as its purpose was to put on display and reassure the state that the inmates had met the Commonwealth’s standards of citizenship. The war work

⁶⁸ Mae D., “After Prison, What?,” *The Citizen*, volume 1 no. 1, November 1941, 13, Accession 36400, Box 1 - Correctional Center for Women at Goochland Records, DOC, EKP, LVA, Richmond, VA.

⁶⁹ William Shands Meacham, “Preparation for Parole,” *The Beacon*, November 1942, reprinted in *The Citizen*, volume 1 no.4, December 1942, 7, Accession 36400, Box 1 - Correctional Center for Women at Goochland Records, DOC, EKP, LVA, Richmond, VA.

inmates participated in at the Farm allowed the women to build impressive resumes and certifications, which combatted their previous criminal records. After six weeks of training, inmates at the SIFW were awarded certificates from the Red Cross.⁷⁰ In a letter to Kates, Elizabeth S., a former inmate of the Farm Colony, expressed her excitement as to the opportunity afforded to her from her time in the institution. After her parole, Elizabeth acquired one hundred hours of credit making sweaters and bandages for the Red Cross in addition to earning good grades in First Aid and Home Nursing courses offered in her community. “So you can see” Elizabeth states, “the effects of your friendship and how it has helped me.”⁷¹

The existence of the Women’s Army Auxiliary Corps (WAAC) and the Women Accepted for Volunteer Emergency Service (WAVES), both established in 1942 out of a need for more “manpower” during World War II, offered an enticing alternative for the women who were unsure about returning to their previous life and routine before prison.⁷² The women at the Farm geared almost every activity towards building their skills in order to

⁷⁰ Bertha R., “First Aid,” *The Citizen*, volume 1 no. 3, August 1942, 26, Accession 36400, Box 1 - Correctional Center for Women at Goochland Records, DOC, EKP, LVA, Richmond, VA.

⁷¹ Elizabeth S., “After Parole,” Letter to Dr. Elizabeth Kates, *The Citizen*, volume 1 no. 3, August 1942, 33, Accession 36400, Box 1 - Correctional Center for Women at Goochland Records, DOC, EKP, LVA, Richmond, VA.

⁷² For more on the Women’s Army Auxiliary Corps and Women Accepted for Volunteer Emergency Service see D’Ann Campbell, *Women at War with America: Private Lives in a Patriotic Era* (Cambridge, Mass.: Harvard University Press, 1984); D’Ann Campbell, “Women in Combat: The World War II Experience in the United States, Great Britain, Germany, and the Soviet Union,” *The Journal of Military History* 57, no. 2 (April 1993); Leisa D. Meyer, *Creating GI Jane: Sexuality and Power in the Women’s Army Corps during World War II* (New York: Columbia University Press, 1996) and Yashila Permeswaran, “The Women’s Army Auxiliary Corps: A Compromise to Overcome the Conflict of Women Serving in the Army,” *The History Teacher* 42, no. 1 (November 2008).

expand their opportunities for when they left the institution. The Recreation Committee at the Farm encouraged the women to exercise on a regular basis. Kates stated that “No WAAC nor WAVE contingent has worked harder nor more seriously, than our companies have in order to present good drilling and calistenics [sic].”⁷³ Instead of serving their sentences idly, women at the Farm embraced the opportunity to partake in war relief work in order to build skills that would be appealing to the war effort “on the outside.”

There was a legitimate possibility of inmates joining the WAACs and WAVES upon their release, and in a few issues of “The Citizen” women at the prison were able to hear the first hand accounts of released inmates who traveled the world with their military units. Ailiene S., former inmate of the SIFW, wrote to the institution about her new role as a WAAC. In addition to running drills and peeling potatoes, Ailiene was appointed to the position of “Barracks Police,” a place of authority within her unit. She continues by explaining how the lessons she learned at the institution “meant nothing” to her at the time, “but now” she was able to “see the sense in them.”⁷⁴ In a follow up letter Ailiene pens from “somewhere in England,” she writes about how she thinks of the institution often and wonders what any of the inmates would have said if they “had been able to look into the

⁷³ Dr. Elizabeth M. Kates, “Recreation,” *The Citizen*, volume 2 no. 1, May 1943, 20, “Folder – The Citizen 1943,” Accession 36400, Box 1 - Correctional Center for Women at Goochland Records, DOC, EKP, LVA, Richmond, VA.

⁷⁴ Ailiene S., “Word From Our AIR-WAC,” *The Citizen*, volume 3 no. 2, April 1944, 20, “Folder – The Citizen 1944,” Accession 36400, Box 1 - Correctional Center for Women at Goochland Records, DOC, EKP, LVA, Richmond, VA.

future a few years ago.” Throughout the letter, she remarks as to her contentedness and luck that she believed was “far more” than she deserved.⁷⁵

Aileen’s testimony and position as “Barracks Police” uncovers how, by making up for past transgressions through the practice and display of good citizenship, that inmates at the Farm could go from living under the authority of the state to being placed in positions of authority by the state. World War II provided inmates at the Farm an opportunity to showcase a heightened form of patriotism and citizenship. Once the state-defined prerequisites of citizenship were met, these women then had the chance to practice their citizenship outside the confines of the prison walls.

Conclusion

World War II changed the lives of women at the State Farm in Virginia in almost every aspect. Before the war, inmates held at the Farm Colony worked to provide clothes and resources for other institutions in Virginia. Many members of the staff remarked on the “humdrum monotony” of prison work and the lack of drive and enthusiasm of the inmates to perform these tasks.⁷⁶ However, as World War II altered the day to day of Farm activities, it also transformed the way the inmates viewed their purpose within the institution and society as a whole. In addition to producing resources for the Commonwealth, women at the institution participated in war relief work, education, and training all with the aim of helping men fight the enemy overseas and proving to the rest of society that they deserved the

⁷⁵ Ailene S., “From ‘Our WAAC’ Overseas,” *The Citizen*, volume 3, no. 3, December 1944, 15, “Folder – The Citizen 1944,” Accession 36400, Box 1 - Correctional Center for Women at Goochland Records, DOC, EKP, LVA, Richmond, VA.

⁷⁶ Edith A. Franklin, “Detained: The Story of a Prison,” 1955, 19, Accession 28463, Virginia Correctional Center for Women, personal papers collection, LVA, Richmond, VA.

classification of “good citizen” just as those “on the outside.” Further, the war forced the women and staff at the Farm Colony to reconsider how they should define and perform citizenship.

“The Citizen” provided a venue for the inmates to divulge what they learned and believed to their fellow inmates, the staff of the institution, but most importantly, to state authorities outside of the prison. Within this magazine, the voices of these women demanded that society no longer ignore those the state deemed as “unworthy” of citizenship. Instead, they participated in the same wartime efforts as everyone else. The State Farm, then, acted as not only a rehabilitative facility but also a training ground that prepared these women for a future much unlike the lives they lived before. Instead of daydreaming of traveling the world, women at the SIFW saw their potential thanks to the auxiliary corps yielded by World War II. The possibilities brought to them by the war changed their purpose within and outside of the SIFW. Rather than wait idly for their time to be served, the Commonwealth’s incarcerated women were filled with a hope that had previously been denied to them.

Chapter Five

The Incorrigible South: Postwar Juvenile Delinquency and Southern Resistance to Social Change

On November 16, 1952, an episode of *Dragnet* titled “The Big Seventeen” aired on national television. The show opened with its protagonist, Sergeant Joe Friday, receiving a call about vandalism of a local theater. On the scene, the police had discovered a small box of marijuana and began compiling a list of possible suspects. After interrogating one of the perpetrators, they learned that a seventeen-year-old boy named Johnny had been distributing drugs to local teenagers. After further investigation, Friday found out from Johnny’s mother that her husband had abandoned them, leaving her son to be raised in a single, female-headed household. The officers could not find Johnny and pressured the boy’s mother and his girlfriend, Evelyn, to turn him in. Evelyn, the quintessential bobby soxer teenage girl of the 1950s, met Johnny later that night only to discover him dead the day before his eighteenth birthday. Evelyn explained to the officers that she did not know why someone as smart as Johnny would have gotten involved in such deviance, let alone overdose on dope. Joe Friday told Evelyn exactly why this happened. According to Friday, Johnny “had the best excuse in the world . . . he was seventeen.”¹

This episode spoke to an audience that had become increasingly concerned about a youth crime wave in the 1950s. Sergeant Friday’s final statement reflected a postwar belief that American youth were becoming increasingly susceptible to delinquent temptation. During World War II, purported “experts” in juvenile delinquency warned the public that the

¹ *Dragnet*, “The Big Seventeen,” [originally aired November 16, 1952].

displacement of the American family and society due to war would cause an increase in youth crime.² An increase in juvenile delinquency between 1941 and 1943, the media coverage of the zoot suit riots in Los Angeles, and movies that exaggerated the extent of juvenile delinquency only exacerbated society's paranoia of what appeared to be a violent and uncontrollable population children and adolescents.³ Their fears appeared, on the surface at least, to be justified as statistical reports showing an unprecedented youth crime wave became public. By 1953, the number of cases brought to juvenile courts in the United States increased 45 percent from 1948.⁴ Congress responded to the increase in juvenile crime by

² These experts used the juvenile crime wave after World War I as a basis for their hypothesis. They argued that the effect of war on children, specifically the absence of a father and mother who were busy meeting wartime demands, left youth without supervision and guidance, which often manifested into delinquent behavior. New York State Board of Social Welfare, *The Effects of the War on Children* (Albany: The State of New York, 1943), 163-164.

³ Clinton N. Howard, General Superintendent of the International Reform Federation in Washington D.C. reported that in the first nine months of 1943, that seventeen-year-olds alone accounted for 25.3 percent increase in all arrests. Clinton N. Howard, Senate Committee on Education and Labor, *Juvenile Delinquency: Hearing before the Subcommittee on Wartime Health and Education*, 79th Cong., 2nd sess., November 30 – December 3, 1943. In regards to the zoot suit riots, historians have uncovered how the trial and conviction of the young Mexican-American men accused of murdering a young man at a Los Angeles swimming hole lacked substantial evidence and reflected white prejudice of Mexican Americans. For more see Eduardo Obregón Pagán, *Murder at the Sleepy Lagoon: Zoot Suits, Race, and Riot in Wartime L.A.* (Chapel Hill: University of North Carolina Press, 2003) and Catherine Sue Ramírez, *The Woman in the Zoot Suit: Gender, Nationalism, and the Cultural Politics of Memory* (Durham: Duke University Press, 2009). Movies also generated a fear of juvenile delinquency among the American public. The documentary film *Youth in Crisis*, produced by Louis De Rochemont as part of *The March of Time Series*, blamed the spike in juvenile crime with World War II. It should be noted, however, that this documentary relied on the statistics and information produced by the Federal Bureau of Investigation and the Children's Bureau. For more see Gilbert, *A Cycle of Outrage*, 29 and David Hajdu, *The Ten-cent Plague: The Great Comic-book Scare and How It Changed America* (New York: Picador, 2009), 85.

⁴ The increase in the teenage population coincided with the increase in juvenile delinquency. The children born immediately after World War II entered the teenage age bracket, as

establishing the U.S. Senate Subcommittee on Juvenile Delinquency in the same year. The purpose of the subcommittee was to find the root causes of juvenile delinquency and propose remedies to the phenomenon.⁵

The subcommittee identified social changes brought on by World War II, namely the displacement of the American family and shifting racial norms, as a primary cause of postwar juvenile delinquency. In terms of the nuclear family, as millions of servicemen left the home to fight, the war effort also required women to enter the workforce in unprecedented numbers; approximately 5 million women joined heavy industries between 1940 and 1944.⁶ Since so-called experts in childhood behavior believed that there was a

defined by juvenile authorities, of ten to 17 by the mid-1950s. National and state agencies took this increase in teenage population into consideration when trying to explain the rise of juvenile delinquency. Despite the expansion of this demographic due to the baby boom, the government found that the increase in delinquency was four times greater than the increased number of teenagers, therefore more children committed more crimes. Martha M. Eliot, M.D., *Four Decades of Action for Children: A Short History of the Children's Bureau* (Washington D.C.: U.S. Department of Health, Education, and Welfare, 1956), 78.

⁵ "Senators to Hold Teen Age Hearings," *New York Times*, September 19, 1953.

⁶ Elaine Tyler May, *Homeward Bound: American Families in the Cold War Era*, 20th ed. (New York: Basic Books, 2008), 5; Alice Kessler-Harris, *Out to Work: A History of Wage-earning Women in the United States* (New York: Oxford University Press, 1982), 273. For more on women's role in war-time industry see William H. Chafe, *The American Woman: Her Changing Social, Economic, and Political Roles, 1920-1970* (London: Oxford University Press, 1974); William H. Chafe, *The Paradox of Change: American Women in the 20th Century* (New York: Oxford University Press, 1991); Dorothy Sue Cobble, *The Other Women's Movement: Workplace Justice and Social Rights in Modern America* (Princeton: Princeton University Press, 2004); Joshua S. Goldstein, *War and Gender: How Gender Shapes the War System and Vice Versa* (New York: Cambridge University Press, 2001); Susan M. Hartmann, *The Home Front and Beyond: American Women in the 1940s* (Boston: Twayne Publishers, 1982); Maureen Honey, *Creating Rosie the Riveter: Class, Gender, and Propaganda during World War II* (Amherst: University of Massachusetts Press, 1984); Alice Kessler-Harris, *In Pursuit of Equity: Women, Men, and the Quest for Economic Citizenship in 20th-century America* (New York: Oxford University Press, 2001); Leisa D. Meyer, *Creating GI Jane: Sexuality and Power in the Women's Army Corps during World War II* (New York: Columbia University Press, 1996); Ruth Milkman, *Gender at Work: The*

direct correlation between absent mothers and criminally inclined children, officials encouraged women to return home after the war.⁷ Despite these appeals, a substantial number of women remained in the workforce, and by 1950, almost one-third of American women worked outside of the home and that number continued to grow as the decade progressed.⁸

Postwar changes in racial hierarchies also worried lawmakers as the subcommittee received expert testimonies from state officials who attributed the uptick in juvenile gang

Dynamics of Job Segregation by Sex during World War II (Urbana: University of Illinois Press, 1987) and Emily Yellin, *Our Mothers' War: American Women at Home and at the Front during World War II* (New York: Free Press, 2005).

⁷ For example, J. Edgar Hoover was one of several national figures who gave speeches encouraging women to resume their positions in the home. In a 1947 article in *This Week* titled "How Good a Parent are You?" Hoover listed seven "causes" of juvenile delinquency which included, neglect, broken homes, unhappy homes, bad examples, lack of discipline, doting parents, and outside influences, and told specific stories of individual juvenile delinquents affected by these factors. Whether he was talking about Jimmy who drank, smoked, and killed a man, or two teenage girls who spent the night with a band in a hotel, Hoover came back to the same causes and solutions for the youth problem. Victimized youth came from a Godless, broken, and unhappy home and only the unification of the home under God could prevent future increases in delinquency. In a speech to the National Council of Catholic Women, Hoover stated "there are no careers so important as those of homemaker and mother." For more see J. Edgar Hoover, "How Good a Parent are You?" *This Week*, April 20, 1947 and J. Edgar Hoover, "The Twin Enemies of Freedom" (address, 28th Annual Convention of the National Council of Catholic Women, Chicago, IL, November 9, 1956). Indeed, child rearing was considered by many of these demagogues to be a patriotic duty only women could fulfill. For more see New York State Board of Social Welfare, *The Effects of the War on Children* (Albany: The State of New York, 1943).

⁸ Dorothy Sue Cobble, *The Other Women's Movement: Workplace Justice and Social Rights in Modern America* (Princeton: Princeton University Press, 2004), 12. Historian William Chafe contends that World War II was a turning point for American women who began questioning and challenging attitudes about their "proper" roles. Chafe found that a substantial number of women remained in the workforce and enjoyed the economic autonomy it provided. William H. Chafe, *The American Woman: Her Changing Social, Economic, and Political Roles, 1920-1970* (London: Oxford University Press, 1974), 4. For more see Maureen Honey, *Creating Rosie the Riveter: Class, Gender, and Propaganda during World War II* (Amherst: University of Massachusetts Press, 1984).

activity with the growing population of immigrants and African Americans in major cities in the North.⁹ Racial changes concerned southern officials in particular, as they saw a correlation between racial integration and juvenile crime. As the 1950s African American civil rights movement enjoyed important successes in dismantling Jim Crow, most notably the *Brown v. Board of Education of Topeka Kansas* that declared “separate but equal” unconstitutional, southern officials reacted by arguing racial integration would most certainly lead to intimate relationships between white and black youth as well as cause an increase in white juvenile crime.¹⁰

⁹ Ralph W. Whelan, Senate Committee on the Judiciary, *Role of the Federal Government in Combating the Juvenile Delinquency Problem: Hearing before the Subcommittee to Investigate Juvenile Delinquency*, 87th Cong., 1st sess., March 9 and 10, 1961, 1503.

¹⁰ According to historian Jane Dailey, “the greatest challenge to southern racial etiquette and in many cases to segregation itself” occurred during World War II. Jane Elizabeth Dailey, *The Age of Jim Crow: A Norton Casebook in History* (New York: W.W. Norton & Company, 2009), xlv. Historians have exposed the ways in which African American participation in World War II increased the assertiveness and efficacy of the Civil Rights Movement. Leading black organizations like the National Association for the Advancement of Colored People (NAACP) questioned whether the United States could fight for freedom against fascism while maintaining a segregated military and home front. For more on the experiences of African Americans during World War II see Maureen Honey, *Bitter Fruit: African American Women in World War II* (Columbia: University of Missouri Press, 1999); Brenda L. Moore, *To Serve My Country, to Serve My Race: The Story of the Only African American WACS Stationed Overseas during World War II* (New York: New York University Press, 1996) and Neil A. Wynn, *The African American Experience during World War II* (Lanham, MD: Rowman & Littlefield Publishers, 2010). Organizations like the NAACP used these arguments to challenge Jim Crow and by doing so experienced some notable successes in promoting desegregation. For more on the effect World War II had on the African American Civil Rights Movement see Carol Anderson, *Eyes off the Prize: The United Nations and the African American Struggle for Human Rights, 1944-1955* (New York: Cambridge University Press, 2003); Martha Biondi, *To Stand and Fight: The Struggle for Civil Rights in Postwar New York City* (Cambridge, Mass.: Harvard University Press, 2003); Jennifer E. Brooks, “Winning the Peace: Georgia Veterans and the Struggle to Define the Political Legacy of World War II,” in *Other Souths: Diversity and Difference in the U.S. South, Reconstruction to Present*, by Pippa Holloway (Athens: University of Georgia Press, 2008); Richard M. Dalfiume, *Desegregation of the U.S. Armed Forces: Fighting on Two Fronts, 1939-1953* (Columbia: University of Missouri Press, 1969); Jared N. Day and Joe William Trotter, *Race and Renaissance: African Americans in Pittsburgh since World War II*

This chapter argues that the discussion over juvenile delinquency in individual states elevated into a national discourse following World War II. Officials at the national level expressed their concerns that disrupted gender and racial norms negatively impacted American youth. However, southern lawmakers had an added concern over the “consequences” of desegregation, as they believed that any challenge to racial segregation would lead to an increase in white crime. Indeed, these lawmakers actively distinguished themselves from the rest of the nation, arguing that the South suffered from effects of racial integration more than any other region in the United States.¹¹ The breakdown of Jim Crow influenced southern lawmakers to resist integration throughout state institutions including juvenile reform facilities. Not only did these juvenile reformatories remain segregated well into the 1960s but they maintained a curriculum that sought to preserve regional gender and racial hegemonies of the day.

(Pittsburgh: University of Pittsburgh Press, 2010); Leon F. Litwack, *Trouble in Mind: Black Southerners in the Age of Jim Crow* (New York: Vintage Books, 1999); Patricia Sullivan, *Lift Every Voice: The NAACP and the Making of the Civil Rights Movement* (New York: New Press, 2009). For more on the fear of interracial marriage and sex see Keith M. Finley, *Delaying the Dream: Southern Senators and the Fight against Civil Rights, 1938-1965* (Baton Rouge: Louisiana State University Press, 2008), 129-130 and Susan K. Cahn, *Sexual Reckonings: Southern Girls in a Troubling Age* (Cambridge, Mass.: Harvard University Press, 2012), 274.

¹¹ Keith M. Finley, in his book *Delaying the Dream: Southern Senators and the Fight against Civil Rights, 1938-1965* (Baton Rouge: Louisiana State University Press, 2008), 129-130, contends that southern lawmakers believed their region experienced racial integration differently from the North. According to Finley, lawmakers in the South “needed to find a way to convince northerners” that racial segregation was the best way to preserve the white race.

This chapter is divided into three sections. The first section discusses how juvenile delinquency became a national conversation in the 1950s.¹² Expert testimony before the U.S. Senate Subcommittee on Juvenile Delinquency uncovered concerning trends in the postwar youth crime wave. Juvenile delinquents, they argued, participated in more gang activity, drug use, and violent crimes than ever before. These testimonies reveal how lawmakers used gender and racial understandings to interpret juvenile crime. The second section illustrates the how the concern over postwar juvenile delinquency unfolded in the South. This examination uncovers how southern officials resisted calls for integration and embraced obstructionist rhetoric reminiscent of the antebellum period, arguing that the breakdown of Jim Crow would lead to an increase in white and black juvenile delinquency. Section three uses Texas's juvenile justice system as a case study of how white officials tried to preserve gender and racial hierarchies through a state mandated curriculum within juvenile institutions. Texas, like many states, failed to implement effective juvenile reform. The legislature's attempt to introduce a "modern" youth rehabilitation program failed because of a desire to maintain gender and racial values that had a long tradition in the South.¹³

By evaluating postwar juvenile delinquency on a national, regional, and state level, this chapter uses youth crime as a lens in which to interpret southern resistance to social change. In an attempt to preserve gender and racial traditions, southern officials resisted

¹² This is not meant to suggest that southern lawmakers never communicated with other states on the problem of juvenile delinquency before the 1950s. Instead, I contend that prior to the postwar "juvenile crime wave," southern officials largely viewed their state's crime as a local issue that needed to be handled within communities. Officials used reports generated by county juvenile courts rather than national statistics to assess the causes of and remedies for youth crime.

¹³ William S. Bush, *Who Gets a Childhood? Race and Juvenile Justice in Twentieth-century Texas* (Athens: University of Georgia Press, 2010), 5.

integration and utilized their paternalistic carceral system to reeducate juveniles to embrace their assigned roles. According to historian George Brown Tindall, the postwar South became an integral part of the United States. When it came to social policy, however, the region “retreated back within the parapets of the embattled South,” where it launched a campaign of massive resistance against social change.¹⁴

Postwar Juvenile Delinquency in the United States

While the growth and power of the American state gave the federal government “unprecedented control over society,” rapid postwar social changes worried lawmakers and older generations of Americans who sought to preserve the values of the “greatest generation.”¹⁵ Prior to the conclusion of World War II, “experts” predicted a spike in youth crime. The war, they argued, would displace the American family in such a way that left youth without proper supervision and guidance. These predictions gained credence when the United States witnessed an unprecedented juvenile crime wave following the war. Between 1948 and 1951, approximately 350,000 children came to the attention of juvenile courts each year.¹⁶ The federal government responded to this youth crime epidemic by establishing the Senate Subcommittee on Juvenile Delinquency in 1953.¹⁷ The purpose of the subcommittee

¹⁴ George Brown Tindall, *The Emergence of the New South 1913-1945* (Baton Rouge: Louisiana State University Press, 1967), 731.

¹⁵ James T. Sparrow, *Warfare State: World War II Americans and the Age of Big Government* (New York: Oxford University Press, 2013), 12.

¹⁶ Harry Bakwin, M.D., “Juvenile Delinquency,” *The Journal of Pediatrics* 42 no.3, March 1953, 387.

¹⁷ “A Problem for Probing,” *The Nashville Tennessean*, 10 August 1955.

was to study the causes of youth crime while proposing methods to eradicate the problem. It conducted numerous hearings on the subject, calling thousands of witnesses such as state and local officials, educators, physicians, religious authorities, and community organizers. Reports from the subcommittee and national agencies showed that the number of crimes committed by youth increased over 177 percent between 1948 and 1959.¹⁸ Also occurring in these years was a rapid postwar population growth. Frank J. Popello, President of the International Juvenile Officers Association, noted that despite the increase in the number of children coming of age between 1948 and 1959, the arrest rate surpassed the population growth.¹⁹ The subcommittee noted that while crimes committed by youth increased over one hundred percent, the total population of children and adolescents increased thirty-five percent.²⁰

Senator Estes Kefauver (D-TN), who served as the subcommittee's chairman from 1954 to 1955, argued that juvenile delinquency "had been neglected as a national problem for too many years."²¹ Indeed, prior to the establishment of the subcommittee, the federal

¹⁸ Thomas J. Dodd, Senate Committee on the Judiciary, *Role of the Federal Government in Combating the Juvenile Delinquency Problem: Hearing before the Subcommittee to Investigate Juvenile Delinquency*, 87th Cong., 1st sess., March 9 and 10, 1961, 1480.

¹⁹ Frank J. Popello, Senate Committee on the Judiciary, *Role of the Federal Government in Combating the Juvenile Delinquency Problem: Hearing before the Subcommittee to Investigate Juvenile Delinquency*, 87th Cong., 1st sess., March 9 and 10, 1961, 1522.

²⁰ Thomas J. Dodd, Senate Committee on the Judiciary, *Role of the Federal Government in Combating the Juvenile Delinquency Problem: Hearing before the Subcommittee to Investigate Juvenile Delinquency*, 87th Cong., 1st sess., March 9 and 10, 1961, 1480; "Senate Report Asks U.S. Funds to Help Delinquency Fight," *The New York Times*, July 5, 1960.

²¹ Estes Kefauver, Senate Committee on the Judiciary, *Juvenile Delinquency (Education): Hearing before the Subcommittee to Investigate Juvenile Delinquency*, 84th Cong., 1st sess., August 10, 11, and 12, 1955, 2.

government had done little in regards to studying the causes and solutions to juvenile delinquency.²² The subcommittee hearings on juvenile delinquency exposed numerous troubling trends in the youth crime wave. The number of juvenile delinquents was not only increasing; the nature of their crimes was becoming more violent. Trends in girl delinquency, for example, highlighted the biggest shift from non-violent to violent crimes. According to Arthur Rogers, Assistant to the Commissioner of Youth Services in New York City and the President of the Street Club Project, testified that “the complexion” of female delinquency in his state changed dramatically since the end of the war. In 1948, eighty-one percent of delinquent acts committed by girls were non-violent in nature: truancy, running away, and sex offenses. By 1959, this fell to sixty-five percent but was offset by an increase in violent crimes, namely “injury to a person.”²³

Rogers’s Street Club Project studied gang activity in New York City. According to Rogers, excessive use of alcohol, narcotics, fighting, promiscuity, stealing, mugging, and armed violence characterized gangs throughout the country. However, gangs in New York City took on unique qualities, as they were often composed of immigrant children or first generation American youth. These groups included Irish, Italian, German, Puerto Rican, and “Negroes from the South”; according to Rogers, acted out because of an inability to “fit in”

²² Estes Kefauver, Senate Committee on the Judiciary, *Juvenile Delinquency (Education): Hearing before the Subcommittee to Investigate Juvenile Delinquency*, 84th Cong., 1st sess., August 10, 11, and 12, 1955, 2.

²³ Arthur Rogers, Senate Committee on the Judiciary, *Role of the Federal Government in Combating the Juvenile Delinquency Problem: Hearing before the Subcommittee to Investigate Juvenile Delinquency*, 87th Cong., 1st sess., March 9 and 10, 1961, 1506. In this testimony, Rogers did not present the same analytical data for male juvenile delinquency, as he was particularly concerned about the uptick in violent offenses committed by young women. Instead, when discussing boys he just referred to a growing gang problem in New York.

to white American culture and custom.²⁴ *Time* magazine sensationalized gang activity in New York City, noting, “all but a few of them are Negro” who participate in “warfare,” which they described as “a bloody combat with knives, machetes, and guns.”²⁵ Rogers insisted that “girls were the catalytic agents for conflict and violence” in gangs. He accused girls involved in gang activity for being “rumor carriers, trouble carriers, weapon carriers, and sometimes disease carriers.”²⁶ Ralph W. Whelan, Commissioner of Youth Services in New York City, insisted that in order to quell gang activity, officials needed “to know more about the problem of mobility involving the influx of groups who must make rapid adjustments to conditions new and strange to them.” Whelan acknowledged that this problem was not unique to New York; California officials needed to contend with Mexican youth while authorities in Florida encountered gangs of immigrants from Cuba.²⁷

Experts called before the subcommittee downplayed the deep structural causes of violence and delinquency, namely poverty and deteriorating living conditions. However, contemporary sociologists at the time argued that when it came to African American

²⁴ Arthur Rogers, Senate Committee on the Judiciary, *Role of the Federal Government in Combating the Juvenile Delinquency Problem: Hearing before the Subcommittee to Investigate Juvenile Delinquency*, 87th Cong., 1st sess., March 9 and 10, 1961, 1505.

²⁵ “Youth: The Shook-Up Generation,” *Time*, April 7, 1958.

²⁶ Arthur Rogers, Senate Committee on the Judiciary, *Role of the Federal Government in Combating the Juvenile Delinquency Problem: Hearing before the Subcommittee to Investigate Juvenile Delinquency*, 87th Cong., 1st sess., March 9 and 10, 1961, 1505. In this statement, Rogers is referring to STDs. His statement continued, “They are promiscuous, truant, and violent. They participate in petty theft, have out-of-wedlock pregnancies and use alcohol and narcotics excessively.”

²⁷ Ralph W. Whelan, Senate Committee on the Judiciary, *Role of the Federal Government in Combating the Juvenile Delinquency Problem: Hearing before the Subcommittee to Investigate Juvenile Delinquency*, 87th Cong., 1st sess., March 9 and 10, 1961, 1503.

delinquency, “the causal chain from poverty to neglect to delinquency is so apparent that it needs no statistical proof.”²⁸ As a result, incarcerated black children outnumbered white children by significant margins. For example, in New York in 1942, black children in city and state prisons outnumbered white children five to one. Experts argued that this growing trend meant that African American delinquency was “the most important crime problem in New York.”²⁹ The lack of economic opportunity because of racial discrimination, they argued, left African American youth with little choice but to participate in illegal activities, like gambling, prostitution, and gang activity to earn extra money.³⁰

While gangs existed in the United States before the 1950s, officials had new concerns about the influence gangs had over younger generations of Americans.³¹ In 1955, J. Edgar Hoover, Director of the Federal Bureau of Investigation, noted, “The juvenile gang today represents a serious problem.” Young children, he contended, were often hesitant to commit a crime; “with companions, however, his ‘courage’ becomes greater.”³² Lee R. Steiner, a leading psychologist in childhood behavior, noted in her 1960 study that children tend to find

²⁸ Paul Blanshard, “Negro Delinquency in New York,” *The Journal of Educational Sociology* 16, no. 2 (October 1942): 119.

²⁹ *Ibid.*, 117.

³⁰ *Ibid.*, 119.

³¹ Historians often refer to the days of Prohibition as the heyday of American gangs. For more see James C. Howell, *The History of Street Gangs in the United States: Their Origins and Transformations* (Lanham, MD: Lexington Books, 2015); Ellen NickKenzie Lawson, *Smugglers, Bootleggers, and Scofflaws: New York City and Prohibition* (Albany: State University of New York Press, 2013) and Marc Mappen, *Prohibition Gangsters: The Rise and Fall of a Bad Generation* (New Brunswick, N.J.: Rutgers University Press, 2013).

³² John Edgar Hoover, “Juvenile Delinquency: An Unconquered Frontier,” *The Educational Forum* 20 no. 1, 1955, 5-6.

their identity within groups of their peers, which can yield both positive and negative consequences. In extreme circumstances, some youth performed acts of “childhood sadism” that they “never would have committed save for the spirit of bravado they felt with the gang.”³³ Experts in the field of juvenile delinquency recognized that gangs were not unique to the postwar United States, but they agreed that these organizations recruited younger generations of Americans to participate in criminal activity.

Officials saw a direct correlation between the prevalence of gang activity and the increased use of narcotics, which Kefauver argued was “the most sinister of all delinquency problems.”³⁴ Through numerous testimonies, the subcommittee determined that drug use was most prevalent in densely populated areas, border states, and seaports. In New York City, for example, narcotics arrests increased over five percent in 1960.³⁵ The importation of drugs was of particular concern to officials in border states like California. Herman Stark, Director of the Department of Youth Authority of California, insisted that the federal government needed to pass stricter drug laws to prevent the ingress of drugs from other countries. The postwar drug problem was of such a concern that President Dwight D. Eisenhower acknowledged the epidemic during his State of the Union Address in 1955. It was time for the federal government, Eisenhower contended, “to strengthen [the State’s]

³³ Lee R. Steiner, *Understanding Juvenile Delinquency* (Philadelphia, Penn.: Chilton Co., 1960), 134-135.

³⁴ Estes Kefauver, Senate Committee on Labor and Public Welfare, *Juvenile Delinquency: Hearing before the Subcommittee to Investigate Juvenile Delinquency* 84th Cong., 1st sess., July 6, 7, and 8, 1955, 43.

³⁵ Thomas J. Dodd, Senate Committee on the Judiciary, *Role of the Federal Government in Combating the Juvenile Delinquency Problem: Hearing before the Subcommittee to Investigate Juvenile Delinquency*, 87th Cong., 1st sess., March 9 and 10, 1961, 1481.

resources for preventing and dealing with juvenile delinquency” by passing legislation to control drug trafficking.³⁶

The increase in and diversification of juvenile crime were not the only concerns of the subcommittee as they were also worried about the way youth crime blurred geographical and socio-economic lines. Traditionally, officials viewed juvenile delinquency to be a big city problem, transpiring most often in “lower class” populations comprised of poor whites, blacks, and immigrants. However, testimonies revealed new and surprising trends. While officials did acknowledge that densely populated areas produced the most juvenile delinquents, they noted that criminal activity among minors was on the rise in rural and suburban areas. Senator Thomas J. Dodd (D-CT) explained that statistics from the Children’s Bureau exposed “the largest percentage of increase in juvenile crime was in rural and semi-rural communities – areas formerly substantially free from serious juvenile misbehavior.”³⁷

Officials argued that youth crime was becoming so widespread that it was beginning to cross class boundaries, occurring in middle and upper class communities in addition to the crime occurring in poverty stricken areas. Experts referred to this emerging rebellious population of suburban teenagers as “white collar” delinquents, young boys and girls “who lack the excuse of poverty, a poor home, the confinement and high compression of big city

³⁶ Dwight D. Eisenhower, State of the Union Address, 1955. The “experts” who discussed narcotics use in their testimonies before the subcommittee did not infer to a correlation between an increase in narcotics use to an increase in other criminal activity. Instead, the use of narcotics was emerging as its own category of crime.

³⁷ Thomas J. Dodd, Senate Committee on the Judiciary, *Role of the Federal Government in Combating the Juvenile Delinquency Problem: Hearing before the Subcommittee to Investigate Juvenile Delinquency*, 87th Cong., 1st sess., March 9 and 10, 1961, 1481.

slum life.”³⁸ William C. Kvaraceus, Chairman of the Department of Special Education at Boston University, contended that the so-called “white collar” delinquents represented a generation of young Americans who felt as though they had abandoned the city for a life without meaning or function. Kvaraceus argued that these adolescents often participated in delinquency when trying to find their purpose and he accused officials for misinterpreting suburban rebellion, stating “they have a cosmetic function; they are supposed to look pretty. If they get dirty we do not like it and we may slap back at them in a retaliatory mood.”³⁹ Oftentimes, these suburban adolescents would find themselves in the arms of a companion of the opposite sex, which only seemed to exacerbate the perceived increase in female delinquency and “sex crime.” For example, between 1945 and 1955, the number of unwed mothers in Chicago increased eighty-eight percent.⁴⁰ By the 1950s, little had changed in the sexual double standard that existed in juvenile courts since their inception in the late nineteenth century. The subcommittee referenced county juvenile court reports that showed a disparity between the males and females committing “sex crimes.” For example, they referenced a report that showed between 1958-1959, the rate of girls arrested for “sex

³⁸ Ibid., 1482.

³⁹ William C. Kvaraceus, Senate Committee on the Judiciary, *Role of the Federal Government in Combating the Juvenile Delinquency Problem: Hearing before the Subcommittee to Investigate Juvenile Delinquency*, 87th Cong., 1st sess., March 9 and 10, 1961, 1594.

⁴⁰ Julius H. Miner, “Crime and Juvenile Delinquency: Two of Our Greatest National Problems,” *American Bar Association Journal*, July 1955. As printed in the special subcommittee on juv del, 330.

delinquency” in Los Angeles County was approximately fourteen percent while the rate for boys was around four percent.⁴¹

The diversification of youth crime led many experts to believe that the causes of juvenile delinquency were many and varied. Perhaps the most infamous hearings conducted by the Senate Subcommittee on Juvenile Delinquency placed the comic book industry on trial. They argued that comic books displayed acts of “crime, vice, lust, and horror,” and that this was an important contributor to juvenile delinquency. One psychiatrist in the Cold War era, Fredric Wertham, testified, “I think Hitler was a beginner compared to the comic-book industry.”⁴² Senator Kefauver led the charge against the media’s supposed role in inspiring youth crime. He contended that the members of the subcommittee “believe strongly in the freedom of press, but we do not believe that freedom gives right to indecency.”⁴³ Robert Hinckley, Vice President of ABC, vehemently disagreed with the sentiment behind the hearings, arguing that TV was a “very young industry, while juvenile delinquency is very, very old.”⁴⁴

The subcommittee did not target mass media in general. Instead, they focused their attention on the effect of horror and crime stories in comic books, television, radio, and movies over American youth. After gathering reports and studies produced by pediatricians

⁴¹ Senate Committee on the Judiciary, *Role of the Federal Government in Combating the Juvenile Delinquency Problem: Hearing before the Subcommittee to Investigate Juvenile Delinquency*, 87th Cong., 1st sess., March 9 and 10, 1961, 1634.

⁴² Hajdu, *The TEN-CENT PLAGUE*, 6.

⁴³ Estes Kefauver, Senate Committee on the Judiciary, *Juvenile Delinquency (Education): Hearing before the Subcommittee to Investigate Juvenile Delinquency*, 84th Cong., 1st sess., August 10, 11, and 12, 1955, 4.

⁴⁴ As quoted in “Radio: The Children’s Hour,” *Time*, November 1, 1954.

and psychologists, officials inferred a direct connection between the increased readership and viewership of mass media and a spike in juvenile delinquency. R.H. Felix, the Director of the National Institute for Mental Health, doubted that media could “be blamed for originating delinquent trends,” but he did believe that it might “be instructive in the techniques of delinquency and criminality.” According to Felix, banning comic books was not the answer. Instead, he insisted that, more than ever, parents needed to play an active role in monitoring what their child read; “the wise parent will exercise some discretion and some authoritative control in this connection.”⁴⁵ While his suggestion appears innocuous on the surface, it was also used to pathologize families with working mothers.

Felix’s recommendation concerned members of the subcommittee who saw a causal relationship between the increase of juvenile delinquency and the breakdown of the American family. Officials argued that World War II led to a disruption in the nuclear family, which placed the father as a breadwinner and discipliner and the mother as a nurturer and homemaker. The disturbance to these roles, experts held, left the children vulnerable to the temptations of youth crime.⁴⁶ Of particular concern were mothers who did not return to the home after working for the war effort. A number of experts in juvenile delinquency testified before the committee that the working mother posed a significant threat to American youth. Julius H. Miner, Circuit Court Judge of Cook County, Illinois, testified that in 1955, 19 million mothers were gainfully employed in the United States and that “naturally many of

⁴⁵ Letter from R.H. Felix to Richard Clendenen, as printed in Senate Committee on the Judiciary, *Juvenile Delinquency (Comic Books): Hearing before the Subcommittee to Investigate Juvenile Delinquency*, 83rd Cong., 2nd sess., April 21, 22, and June 4, 1954, 11-12

⁴⁶ Gilbert, *A Cycle of Outrage*, 153.

their children are exposed to temptations toward delinquency and crime.” According to George Edwards, Judge from the Circuit Courts in Detroit, in order to combat delinquency

We need above everything else a reawakening of interest in the American home as a basic unit of democracy. We need to change the adulation of glamour girls and career women as the prime example of American womanhood and remember the mother who stays home and cares for her young is the most important person in the future of this Nation.⁴⁷

Senators on the subcommittee agreed that the displacement of the American family due to war compromised the “normal” behavioral development of their children. Senator Pat McNamara (D-MI) stated “No doubt this cold-war era and the hot wars we have been through are contributing factors [to juvenile delinquency] because of the mothers leaving homes to go into industry and commercial jobs.”⁴⁸ The American public appeared to be in consensus with the hypotheses presented by the subcommittee. In 1954 Gallup conducted a poll that asked Americans why they believed teenagers got into trouble. The most common responses included “improper home life,” “broken home,” and “parents both working.” In this same poll, the respondents suggested that the best way to “cure these conditions among our teenagers” was for “more supervision” and “mothers [to] stop working.”⁴⁹

Officials testifying before the subcommittee described the employment of mothers as one of the most threatening trends of the time, as they believe it disrupted traditional gender

⁴⁷ George Edwards, Senate Committee on Labor and Public Welfare, *Juvenile Delinquency: Hearing before the Subcommittee to Investigate Juvenile Delinquency* 84th Cong., 1st sess., July 6, 7, and 8, 1955, 151.

⁴⁸ Pat McNamara, Senate Committee on Labor and Public Welfare, *Juvenile Delinquency: Hearing before the Subcommittee to Investigate Juvenile Delinquency* 84th Cong., 1st sess., July 6, 7, and 8, 1955, 55.

⁴⁹ Linda Lyons, “The Gallup Brain: Teens Misbehavin,” Gallup.
<http://www.gallup.com/poll/10741/gallup-brain-teens-misbehavin.aspx>

roles. Similarly, many psychiatrists and pediatricians warned parents as to the dangers of challenging gender roles inside of the home. Milton Levine, a noted pediatrician from New York, emphasized the importance of helping children understand the differences between the sexes and how these distinctions were “essential and good.” The American male, Levine contended, needed to be strong, independent, and protective of women. They must also display dominance in athletics, politics, and business. The American female, on the other hand, needed to “possess the traditional womanly qualities of tenderness, softness, and understanding” and only earn a living “if necessary.” If parents reversed their roles in the home, Levine warned, “then the youngster is likely to have difficulty later on in understanding and identifying the respective sex roles.”⁵⁰ According to the medical community, the consequences of sex role reversal were dire, as this was believed to lead to homosexual tendencies in both girls and boys. Both the doting and distant mother could inspire a “psychological maladjustment” that would lead to their children’s “confused” sexuality.⁵¹ Girls who “rejected femininity,” Levine argued, “may not develop into an active homosexual, but she will have a great deal of difficulty adjusting to a feminine role.”⁵²

⁵⁰ Milton Isra Levine, “Helping Boys and Girls Understand their Sex Roles” (Chicago: Science Research Associates, 1953), 4 & 8.

⁵¹ According to historian David K. Johnson, women’s assignments as mothers “set them up for blame if the character of the nation’s citizens was perceived to be declining.” This was especially apparent during the Cold War when experts pointed to a noticeable rise in homosexuality. David K. Johnson, *The Lavender Scare: The Cold War Persecution of Gays and Lesbians in the Federal Government* (Chicago: University of Chicago Press, 2006), 95.

⁵² Milton Isra Levine, “Helping Boys and Girls Understand their Sex Roles” (Chicago: Science Research Associates, 1953), 29 & 32. This psychoanalysis of motherhood and sexuality traces back to Sigmund Freud’s 1905 work *Three Essays on the Theory of Sexuality* in which he argued that a person’s sexual development begins in infancy and is shaped by relationships with their parents. Freud’s theories heavily influenced psychiatry and medicine as experts in both fields argued that a mother’s behavior toward her children played a role in determining sexual behavior, whether “normal” or “abnormal.” For more see Sigmund

Just as the causes of juvenile delinquency were many and varied, the experts who testified before the subcommittee believed that the solution to the youth crime should include various methods. Ethel D. Mecum, President of the National Association of Training Schools and Juvenile Agencies, acknowledged that the post World War II juvenile delinquent looked very different from the youthful offender from decades past. Training schools, she contended, could address this problem by acting as “a home, a school, a hospital, a church, a community house, a clinic and a social agency, not just a holding place.” She also argued that states needed to open diverse institutions that could separate violent and non-violent offenders. However, juvenile institution reform would be difficult, Mecum contended, since the American people were more in favor of punishing the juvenile delinquent than reforming them. Mecum acknowledged that the “reform school” model of juvenile institutions from the first half of the century needed to be replaced with a “reeducation” model. The reform institution model of the early twentieth century forced rehabilitation through disciplinary methods while reeducation relied on a child’s willingness to change. If institutionalized youth were willing to accept the education offered at juvenile detention facilities they could be retrained into their “socially acceptable” role.⁵³

For delinquent girls, reeducation involved learning to embrace their socially assigned position as wife and homemaker. For boys, officials believed that federal and state

Freud, *Three Essays on the Theory of Sexuality*, trans. James Strachey (New York: Basic Books, 2000); Carolyn Herbst Lewis, *Prescription for Heterosexuality: Sexual Citizenship in the Cold War Era* (Chapel Hill: University of North Carolina Press, 2010) and Madelon Sprengnether, *The Spectral Mother: Freud, Feminism, and Psychoanalysis* (Ithaca: Cornell University Press, 1990).

⁵³ Ethel D. Mecum, Senate Committee on the Judiciary, *Role of the Federal Government in Combating the Juvenile Delinquency Problem: Hearing before the Subcommittee to Investigate Juvenile Delinquency*, 87th Cong., 1st sess., March 9 and 10, 1961, 1540.

governments needed to provide delinquent males with industrious training and work. Herman Stark noted that California established thirty-five county work camps that trained and educated male offenders. Modeled off of New Deal initiatives, the benefit of this program, Stark contended, was two-fold; offenders learned a skill that they could employ upon their release while they beautified California at little to no cost to the state. He proposed a nationwide Youth Conservation Corps (YCC) that would avoid the mistakes made by the Civilian Conservation Corps (CCC). When probed by Senator Dodd as to the missteps of the CCC, Stark remarked that President Roosevelt's work programs unnecessarily displaced American youth by shipping them to other states when it would have been more beneficial to the workers and their states of origin to keep them close to home.⁵⁴ According to officials, work programs like the proposed YCC would not only employ youthful delinquents, but it could also prevent youth crime. Experts often reported a correlation between rising unemployment among American adolescents and criminal activity. In 1961, the Bureau of Labor Statistics reported that the rate of unemployment of teenagers was three times the national average. Advocates of the YCC predicted unemployment to grow over the next few years and argued that the program would act as a good "preventative measure" against juvenile delinquency.⁵⁵

⁵⁴ Herman Stark, Senate Committee on the Judiciary, *Role of the Federal Government in Combating the Juvenile Delinquency Problem: Hearing before the Subcommittee to Investigate Juvenile Delinquency*, 87th Cong., 1st sess., March 9 and 10, 1961, 1512.

⁵⁵ In 1962, the Senate labor committee voted in favor of an YCC bill, which was sponsored by Senator Hubert H. Humphrey (D-MN). "OK's 150,000 Youth Conservation Corps," *The Chicago Tribune*, August 2, 1961; Shaffer, H. B. (1961). *Government Youth Corps. Editorial research reports 1961* (Vol. I). Washington, DC: CQ Press. Retrieved from <http://library.cqpress.com/cqresearcher/cqresrre1961010400>

Over its tenure, the subcommittee heard hundreds of testimonies from various experts in childhood behavior, medicine, psychiatry, and criminology. These experts agreed that juvenile delinquency was an epidemic brought on by a disrupted postwar home and society, such as shifting gender and racial norms, which threatened to undermine the values of the United States. Although the purpose of the subcommittee was to find the source of and juvenile delinquency and develop programs to help with its eradication, some questioned its ability to do so. In 1960, one journalist lamented “After seven years, we still have the committee, which has done away with several million dollars, and we have just as much delinquency as ever before.”⁵⁶ It appeared that the shortcomings of the subcommittee revolved around the variations that existed in youth crime, the supposed causes, and proposed solutions. Kefauver contended that the subcommittee was “much like doctors trying to treat an ailment without knowing fully its nature or cause.” When it came to juvenile delinquency, he argued, “There is no magic cure nor any pat answer to this problem.” For this reason, experts agreed that there was no “magic bullet” to suppress the increase in juvenile delinquency following World War II.

Race, Gender, and Juvenile Crime in the South

While southern politicians participated in the national discourse about postwar juvenile delinquency, they believed that the high population of African Americans in the South made their region unique in terms of youth crime. Further, white southerners worried that the federal dismantling of Jim Crow coupled with the modernizing sexual attitudes of

⁵⁶ Ed Koterba, “Assignment: Washington,” *Reading Eagle*, February 13, 1960.

white adolescent girls threatened the Victorian notions of racial and sexual hegemonies.⁵⁷ These changes concerned white southern Democrats who still embraced the clear racial binary that existed in the Jim Crow South. As organizations such as the NAACP began successfully chipping away at “separate but equal,” southern traditionalists, in and outside of the formal state, answered the “racial threat” with a fervor and rhetoric that was reminiscent of the antebellum period. Southern lawmakers believed that the black race was criminally inclined; therefore, they argued, integration would lead to an increase in juvenile delinquency among white children who could not resist the “bad influence” of African Americans. As a result, these officials saw their carceral institutions as a place where they could maintain racial order in a rapidly changing and progressive social environment. Much like prisons in the South acted as a mechanism to reproduce slavery, southern officials in the 1950s frantically looked for ways to fashion a punitive institutional system that bolstered a quickly disintegrating Jim Crow South.⁵⁸

The rhetoric of nineteenth-century southern discontent is best seen in the traditionalists’ response to the landmark *Brown v. Board of Education of Topeka* decision in 1954 that called for an end to racial segregation in public schools throughout the United States.⁵⁹ The ruling proved in the minds of pro-segregation southerners that the North did

⁵⁷ Susan K. Cahn, *Sexual Reckonings: Southern Girls in a Troubling Age* (Cambridge, Mass.: Harvard University Press, 2012), 5-7.

⁵⁸ For more see Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York: New Press, 2011); Dennis Childs, *Slaves of the State: Black Incarceration from the Chain Gang to the Penitentiary* (Minneapolis: University of Minnesota Press, 2015) and Becky Pettit, *Invisible Men: Mass Incarceration and the Myth of Black Progress* (New York: Russell Sage Foundation, 2012).

⁵⁹ For more on *Brown v. Board of Education* see Michael J. Klarman, *Brown V. Board of Education and the Civil Rights Movement: Abridged Edition of from Jim Crow to Civil*

not understand the South and its long history of “racial problems.” Arguing that the integration of public schools would lead to a number of societal ills, including an increase in juvenile delinquency, segregationists responded to *Brown* with loud opposition, condemning the federal government and their “meddling” with the rights of individual states. In an act of “massive resistance” nineteen senators and eighty-two representatives drafted and signed a “Declaration of Constitutional Principles,” later known as the “Southern Manifesto.”⁶⁰ In this resolution, lawmakers from the former Confederate states cloaked their racism under the veil of states’ rights. Their manifesto argued that the clear abuse of power destroyed “the amicable relations between the white and Negro races” and “planted hatred and suspicion where there has been heretofore friendship and understanding.”⁶¹

The racial integration of public schools worried southern lawmakers who believed crime occurred more frequently among African Americans. Segregationists argued that by mixing the races in schools, the “bad influence” of black children would cause white children

Rights: the Supreme Court and the Struggle for Racial Equality (Oxford: Oxford University Press, 2007); James T. Patterson, *Brown V. Board of Education: A Civil Rights Milestone and Its Troubled Legacy* (Oxford: Oxford University Press, 2001) and Patricia Sullivan, *Lift Every Voice: The NAACP and the Making of the Civil Rights Movement* (New York: New Press, 2009).

⁶⁰ Numan V. Bartley, *The New South, 1945-1980* (Baton Rouge: Louisiana State University Press, 1995), 198. For more on white resistance to the Civil Rights Movement and the *Brown* decision see John Kyle Day, *Southern Manifesto: Massive Resistance and the Fight to Preserve Segregation* (Place of publication not identified: Univ Pr Of Mississippi, 2015); Matthew D. Lassiter and Andrew B. Lewis, *The Moderates' Dilemma: Massive Resistance to School Desegregation in Virginia* (Charlottesville: University Press of Virginia, 1998) and George Lewis, *Massive Resistance: The White Response to the Civil Rights Movement* (London: Hodder Arnold, 2006).

⁶¹ Strom Thurmond, “Southern Manifesto,” March 12, 1956, Congressional Record, 84th Cong., 2nd Sess., Vol. 102, Part 4, Washington, D.C.: Governmental Printing Office, 1956, 4459-4460.

to participate in similar criminal activity. Thomas R. Waring, editor of South Carolina's *News and Courier* and the *Evening Post*, stated:

Though the Northern press no longer identifies criminals by race, white Southerners have reason to believe that much of the outbreak of crime and juvenile delinquency in Northern cities is due to the influx of Negro population. They believe the North now is getting a taste of the same race problems that the South fears would grow out of mixed schooling.⁶²

Further, since experts believed juvenile delinquency often occurred when children felt out of place in their surrounding environments, they believed integration would make both white and black students feel uneasy when instead they should be learning in a comfortable setting. Virginian author Clifford Dowdy contended "The normal environment of the white child is white and the normal environment for the colored child is colored. . . a mixed school would not help either race adjust to his normal environment."⁶³ Segregationists like Waring predicted that the animosity and violence induced by integration would distract from education: "Instead of learning out of books, the younger generation would be schooled in survival."⁶⁴

Segregationists used these arguments to justify their resistance to integration. A few months after the Southern Manifesto was signed, the Virginia legislature sought to circumvent the court's mandate, by appropriating funds to be used by parents who did not

⁶² Thomas R. Waring, "The Southern Case Against Desegregation," *Harper's Magazine*, January 1956, "Folder – Segregation-Virginia," Box - PC 255.39 Segregation-Virginia, NBLP, SANC, Raleigh, NC.

⁶³ Clifford Dowdy, "A Southerner Looks at the Supreme Court . . . but the Klan will not ride," *The Saturday Review*, October 9, 1954, "Folder – Segregation-Virginia," Box - PC 255.39 Segregation-Virginia, NBLP, SANC, Raleigh, NC.

⁶⁴ Thomas R. Waring, "The Southern Case Against Desegregation," *Harper's Magazine*, January 1956, "Folder – Segregation-Virginia," Box - PC 255.39 Segregation-Virginia, NBLP, SANC, Raleigh, NC.

wish for their children to be educated in integrated schools. However, as ruled by the Virginia Supreme Court of Appeals, the constitution of the commonwealth prohibited any state funds from being used for such purposes. The only solution, the court ruled, was to amend their constitution. In response, Virginia's voters overwhelmingly approved a measure calling for a limited constitutional convention to address section 141 of the constitution. Dubbed the "Virginia Plan," the change to the constitution to allow public funds to be used for tuition at non-sectarian schools was approved by the convention's delegates.⁶⁵ According to the *U.S. News and World Report*, Virginia's decision was "charting the course that most of the States of the South plan to follow." Shortly after Virginia proposed this amendment, four other state legislatures – Georgia, Mississippi, South Carolina, and Louisiana – worked on passing similar measures.⁶⁶

According to periodicals throughout the South, the Virginia Plan marked a renaissance of nineteenth-century southern indignation. In his biography of Virginia politician Harry F. Byrd, Historian J. Harvie Wilkinson III notes, "Massive resistance was truly Virginia's issue of the century." Any talk of integration revitalized the discourse of state's rights, resistance, and rebellion.⁶⁷ One objector to integration noted, "Not until the

⁶⁵ John J. Dinan, *The Virginia State Constitution*, 2nd ed. (Oxford: Oxford University Press 2014), 32-34; "Virginia Sets the Pace: How South is Moving to Avoid Mixed Schools," *U.S. News & World Report*, January 20, 1956; "The Voice of Virginia," *Wall Street Journal*, January 11, 1956. Here, interposition refers to states "interposing" their constitutional power to counteract a supposed "abuse" of power and unconstitutional decision made by a branch of the federal government. In 1962, Martin Luther King Jr. spoke of the South's use of interposition in his famous "I have a Dream" Speech.

⁶⁶ "Virginia Sets the Pace: How South is Moving to Avoid Mixed Schools," *U.S. News & World Report*, January 20, 1956.

⁶⁷ J. Harvie Wilkinson, III, *Harry Byrd and the Changing Face of Virginia Politics 1945-1966* (Charlottesville: The University Press of Virginia, 1968), 113.

1880s and 1890s was it finally apparent to the Congress that the South was not going to be forced into giving up its customs of racial separation . . . Now, however, it looks as if the lesson may have to be learned again.”⁶⁸ Traditionalists throughout the region drew parallels between the *Brown* ruling and forced emancipation during the Civil War. In what was seen as “the most momentous decision in the interracial field since the Dred Scott case of 1857,” *Brown* inspired lawmakers to “begin making more definite plans to preserve [segregation].” One article in *News Leader*, one of the most popular newspapers in Virginia, noted, “The court made its move yesterday. Now it is our move.” They argued, “To defy the court openly would be to enter upon anarchy; the logical end would be a second attempt at secession from the Union. And though the idea is not without merit, it is impossible of execution. We tried that once before.”⁶⁹

For traditionalists, the *Brown* decision posed a threat to racial order in all areas of society. They believed integration would lead to a rise in white crime as well as interracial sexual relationships between black males and white females. In 1955, Earnest Sevier Cox, a political activist and self-proclaimed white supremacist, issued a pamphlet to state legislatures throughout the country as well as members of Congress, echoing the opinions of southern segregationists after the *Brown* ruling. Cox argued that the Supreme Court ignored “the tendency to crime in the Negro race.” He continued:

These judges cannot assume that the enforced mingling of the races in the Southern States, where most of the Negroes live, will benefit the Negro for their decision itself is founded on the assumption that the White South is so

⁶⁸ “Waving the Bloody Shirt Once More,” newspaper article from unknown periodical, “Folder – Segregation-Virginia,” Box - PC 255.39 Segregation-Virginia, NBLP, SANC, Raleigh, NC.

⁶⁹ “Lawful Resistance,” newspaper article from unknown periodical, “Folder – Segregation-Virginia,” Box - PC 255.39 Segregation-Virginia, NBLP, SANC, Raleigh, NC.

defective in intellect and character as to require the Court to use Federal authority to alter basic institutions in these States . . . If the Federal attitude toward the White South is correct, that it is held aloft solely by Federal intervention, it would seem that the enforced mingling in the schools will not lead to a lessening of Negro crimes but to an increase in white crime.⁷⁰

One study conducted under the North Carolina State Board of Charities and Public Welfare argued that when “one considers the defective and dangerous environmental conditions” in which black children are raised, it was not surprising that African American youth commit more crimes than their white counterparts. What was shocking, the board contended, was that “all Negro children do not become delinquent.”⁷¹

Ardent segregationists worried that integration would lead to one crime in particular: miscegenation. According to historian Pippa Holloway, Virginia’s lawmakers believed that aside from spreading disease from one race to another, “interracial sex might undermine racial distinctions through the production of mixed-race offspring.” It was this concern that placed sexual regulation at the forefront of Virginia policymaking at the beginning of the twentieth century.⁷² Similarly, Susan Cahn argues that the “possibility of interracial sexuality stood at the heart of white

⁷⁰ Earnest Sevier Cox, “Unending Hate,” 1955, 30-31, “Folder – Segregation-Virginia,” Box - PC 255.39 Segregation-Virginia, NBLP, SANC, Raleigh, NC.

⁷¹ Wiley Britton Sanders, comp., *Negro Child Welfare in North Carolina* (Montclair, NJ: Patterson Smith, 1968), 192.

⁷² Pippa Holloway, *Sexuality, Politics, and Social Control in Virginia, 1920-1945* (Chapel Hill: University of North Carolina Press, 2006), 11. The South has a long history of concerns over sex between white women and black men. In fact, historians have often drawn connections between racial violence through lynching and sex. Historian Jacquelyn Dowd Hall notes how white vigilantes believed it was their obligation to protect white womanhood from black male “predators.” For more see, Jacquelyn Dowd Hall, *Revolt against Chivalry: Jessie Daniel Ames and the Women's Campaign against Lynching* (New York: Columbia University Press, 1993).

panic.” To southern officials, consensual interracial sex between white women and black men suggested a likely mental defect in white girls who participated in the act and shook the “foundations of a white supremacist state.”⁷³

White lawmakers in the South used their theories about white and black sexuality to guide policymaking. In a speech to the Virginia Federation of Colored Women’s Clubs, Wiley Hall, executive secretary of the Richmond Urban League, proposed the consolidation of the state’s industrial schools for “wayward” children. Instead of integrating the schools by race, Hall highlighted the benefits to making these institutions coeducational. Hall presented research conducted by the Osborne Association, an organization based out of New York and founded in 1931 to inspire prison reform, which stated, “The war has shown with startling clearness how easy it is for young girls to get into trouble and how difficult it is to keep them from getting into it again after they leave an institution.” The association believed that by placing a young woman in an institution with other girls, the inmates did not receive adequate training in normal day-to-day relations. Hall contended that the state and public were “naïve” to think that a one-year sentence to an institution would train “wayward” girls to have successful careers as homemakers. “A coeducational institution,” he asserted “comes nearer to a genuine training situation than one for either sex alone.”⁷⁴

The fact that the majority of institutionalized girls came to the attention of juvenile courts because of “sexually immoral” behavior makes Hall’s proposal seem counterproductive since the comingling of girls and boys in close quarters would almost

⁷³ Cahn, *Sexual Reckonings*, 8 & 58.

⁷⁴ Wiley Hall, “Co-educational Schools in Virginia for Delinquent Children,” speech, 8 September 1947, Accession 26235, Box - Records Concerning Virginia’s Industrial School, DOC, LVA, Richmond, VA.

certainly lead to sexual encounters, a point noted by several northern superintendents. Dr. Herbert D. Williams, superintendent of the New York Training School for Boys pointed out, “A high proportion of the delinquent girls sent to Training Schools come because of sex difficulties . . . the presence of the girls acts as an added irritation to the boys and the presence of the boys upsets the girls.” Roy L. McLaughlin, superintendent of the Connecticut School for Boys reverberated this objection stating, “It would be no greater mistake if the suggestion was to combine the state prison for men with the women’s prison. The country and the world at large, has been through all that experience and I doubt that anyone in the field would concede that it is a matter for discussion.”⁷⁵

The Virginia Federation of Colored Women’s Clubs also objected to a co-educational juvenile justice system, arguing, “Our purpose in founding such an institution was to remove our underprivileged, wayward girls from poor surroundings, inadequate homes, co-educational schools (public) that failed to properly train and direct these girls.”⁷⁶ The clubwomen worried that since there were far fewer delinquent black girls than boys, the girls would become a “lost” group whose needs would go unaddressed. They also argued that co-educational facilities were intended for “normal” children, not delinquents. Echoing the concerns of other superintendents over potential sexual encounters between incarcerated boys and girls, the clubwomen stated that their “segregated unit removes the girls from her

⁷⁵ Ibid.

⁷⁶ Louella Goff to Frank Wheeler, 5 October 1946, Accession 26235, Box - Records Concerning Virginia’s Industrial School, DOC, LVA, Richmond, VA.

unwholesome, often immoral environment, where often, too, she has not only observed, but has been an active participant in sexual promiscuity.”⁷⁷

Hall’s speech to the Virginia Federation of Colored Women’s Clubs points to a regional resistance to racial integration, even within carceral institutions. Other than a desire to maintain a racial caste system in the region, it is fair to note that lawmakers could have been concerned about homosexual activity between white and black girls within integrated girls’ institutions. According to Milton Levine, when you send girls to an all girls’ school, they will seek out a classmate that most closely adheres to masculine qualities and develop a crush on them.⁷⁸ Lawmakers often viewed black girls and women as masculine since they “lacked” the feminine qualities associated with white women. Even northern carceral institutions segregated women of color from white women because they found “a peculiar attraction” between the two groups, “which intensifies much danger . . . of homosexual involvement.”⁷⁹ In her work on the State Industrial School for Delinquent Girls in Geneva, Illinois, scholar Anne Meis Knupfer exposes how race often shifted gender roles in integrated juvenile detention facilities as officials considered black girls to be masculine and white girls to be feminine. In some instances, the inmates fashioned micro families, complete with a wife (white girl), husband (black girl), uncles, aunts, nieces, and nephews. Besides

⁷⁷ Ibid.

⁷⁸ Milton Isra Levine, “Helping Boys and Girls Understand their Sex Roles” (Chicago: Science Research Associates, 1953), 35.

⁷⁹ Eugenia Lekkerkerker, *Reformatories for Women in the United States* (n.p.: J.B. Wolters, 1931), 234.

“nauseating” and “filthy”, authorities in and outside of the industrial school described interracial lesbianism as “beyond redemption or repair.”⁸⁰

According to the North Carolina State Board of Charities and Public Welfare, white officials utilized a “dual standard” for boys and girls when evaluating the morality of apprehended youth. However, this judgment was affected even more so by the race of the “offender.” Judges, for example, regarded sex offenses committed by white girls “far more seriously than a similar offense by a Negro girl.” According to the board, “court house officials hold the view that practically all Negro girls are sexually delinquent.” If they took on cases of sexually immoral black girls, the court argued, they “would be swamped with work.”⁸¹ In one case, a man interviewing for a county superintendent position summed up the attitudes of southern white courts. When asked if there were high rates of juvenile delinquency in his county the man responded that crime among white girls was relatively low, but there were situations in which white boys “had sex relations with Negro girls, but it was a good thing, because it protected the white girls.”⁸²

The need to protect white women has a long history in what Jacquelyn Dowd Hall dubs “false chivalry,” which “cast[s] women as Christian symbols of racial purity and regional identity and translated every sign of black self-assertion into a

⁸⁰ Anne Meis Knupfer, ““To Become Good, Self-Supporting Women:” The State Industrial School for Delinquent Girls at Geneva, Illinois, 1900-1935,” *Journal of the History of Sexuality* 9, no. 4 (October 2000): 437-439.

⁸¹ Wiley Britton Sanders, comp., *Negro Child Welfare in North Carolina* (Montclair, NJ: Patterson Smith, 1968), 195.

⁸² Ibid.

metaphor for rape.”⁸³ This southern custom, Hall argues, grew out of a colonial tradition where white women were “positioned both as objects of protection and as keepers of the rituals of racial dominance.” Authorities used these understandings to justify the oppression and segregation of African Americans.⁸⁴ In historian Nancy MacLean’s study of the Ku Klux Klan, she notes that protecting the “chastity” of southern white womanhood became central to Klan rhetoric. However, male members of the KKK used this responsibility to exert more control over their female members.⁸⁵

The North Carolina State Board of Charities and Public Welfare noted how when evaluating the charges against white and black youth in the state that “it must be pointed out that the juvenile courts are *white* courts – that is to say, the judge of the juvenile court and the chief probation officer in every case is a white official . . . then, too, the judges of the juvenile court are all *men*.” The board acknowledged that white male officials often based their judgments of youth on racial and gender constructs of the day. In most charges, such as larceny, black youth outnumbered white by a wide margin. The largest disparity was found in charges of “fighting” in which black girls

⁸³ Jacquelyn Dowd Hall, *Revolt against Chivalry: Jessie Daniel Ames and the Women's Campaign against Lynching* (New York: Columbia University Press, 1993), xxi.

⁸⁴ *Ibid.*, xxxiii.

⁸⁵ Nancy MacLean, *Behind the Mask of Chivalry: The Making of the Second Ku Klux Klan* (New York: Oxford University Press, 1994), 114-115.

outnumbered African American boys two to one, white boys three to one, and white girls six to one.⁸⁶

The number of incarcerated African American youth increased as the civil rights movement made important strides toward defeating segregation. In his study on juvenile delinquency, sociologist Negley K. Teeters noted that in 1947, the Children's Bureau reported that twenty-one percent of cases brought before juvenile courts involved non-white child "offenders." This survey also discovered that non-white children comprised thirty-two percent of the populations of juvenile institutions throughout the United States. Teeters doubted that these statistics revealed the real number of African American youth in the U.S. carceral state since many states had yet to establish facilities for black juvenile delinquents. He acknowledged that crime reports from major cities revealed that African Americans "do get into more trouble with police, commit more crimes, and are sent to prisons more frequently than the whites." Teeters argued, however, that the disproportionate number of incarcerated black youth was caused not by an innate criminality of the race, but instead by discrimination; "Members of the Negro race are discriminated against by many law-enforcing units, and the public at large is prone to believe the many myths and half-truths that have evolved in a white-dominated culture."⁸⁷

The prejudices of southern white officials ensured that the victories of the African American civil rights movement did little to change the racism that existed in the South's carceral state. Indeed, lawmakers developed programs that sought to obstruct black progress

⁸⁶ Wiley Britton Sanders, comp., *Negro Child Welfare in North Carolina* (Montclair, NJ: Patterson Smith, 1968), 193-194.

⁸⁷ Teeters, *Challenge of Delinquency*, 116.

in the region.⁸⁸ Southern officials believed that the successes of the civil rights movement pointed to “a breakdown in law and order,” and they used this rhetoric to justify the mass incarceration of blacks.⁸⁹ Scholars have noted that the disproportionate number of incarcerated blacks proves Jim Crow never ended in the United States, it was simply “redesigned” into the so-called modern carceral state.⁹⁰

“Texans In Trouble”

In February of 1949, Texas governor Beauford H. Jester, along with seven members of the Texas Training School Code Commission (TTSCC), announced plans to build an unprecedented youth program that had yet to be seen in the United States. One of the hallmarks of this legislation was the creation of the Texas State Youth Development Council (TYDC), whose members sought to reduce juvenile crime in the state by developing community-based rehabilitation programs. In 1950, the leadership of the TYDC was invited to represent Texas at the White House Conference on Children and Youth.⁹¹

With the establishment of the TYDC, the legislature sought to offer modern solutions to juvenile delinquency. One of the proposals to accomplish this was to reform the institutional care model of the state. Richard Clendenen, a consultant for the Children’s Bureau, recommended to the members of the TTSCC the establishment of smaller facilities

⁸⁸ William S. Bush, *Who Gets a Childhood? Race and Juvenile Justice in Twentieth-century Texas* (Athens: University of Georgia Press, 2010), 205.

⁸⁹ Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York: New Press, 2011), 40.

⁹⁰ Alexander, *The New Jim Crow*, 2.

⁹¹ Bush, *Who Gets a Childhood?*, 93.

located closer to urban areas. These institutions, he contended, offered the best chance at administering individualized treatment without sending convicted children hundreds of miles away from home.⁹² Clendenen's ideas were not necessarily new. Carrie Weaver Smith, superintendent of the Gainesville State School for White Girls, offered similar suggestions almost two decades earlier. Weaver asserted, "The big institution is doomed to fail. Children cannot be educated en masse." When it came to facilities for girls, Weaver promoted a "cottage" plan where every girl had her own room where she could keep personal possessions. Her idyllic image of a training school, complete with a back yard "with arbors and shade trees and flowers . . . chickens and biddies, and a dog house, and an outdoor doll house, and a place to make playhouses out of old bricks and shingles," departed noticeably from the reformatory model of the progressive era.⁹³

Postwar youth crime in Texas mirrored the national rates and trends that were discussed in hearings before the U.S. Senate Subcommittee on Juvenile Delinquency. Between 1952 and 1958, the number of cases brought before Texas's juvenile court increased by eighty-nine percent.⁹⁴ The type of crimes committed also fell in line with national observations. Boys were often arrested for theft and violence while girls came before the courts for "disobedience," a catchall category for general misbehavior, and "immoral" conduct. Texas officials explained the difference between criminal tendencies of boys and

⁹² Bush, *Who Gets a Childhood?*, 96-97.

⁹³ Carrie Weaver Smith, "The Elimination of the Reformatory," in *Proceedings of the National Conference of Social Work* (Chicago: University of Chicago Press, 1921), 131.

⁹⁴ Report of Juvenile Courts, 1958, 7, Box – 1999/087-8, Juvenile court reports, records, Texas Youth Commission. Archives and Information Services Division, TSLAC, Austin, TX; Allison Leigh Hughes, "Turning Bad Girls into Ladies: Female Juvenile Delinquency in Texas in the Twentieth Century" (master's thesis, Texas State University, 2012).

girls using gendered understandings and language. The TYDC argued “The greatest amounts of difference in boys’ and girls’ referrals lies in the areas of stealing and disobedience. Because boys are more active than girls, most of their conflicts with the law originate from the violations of property rights of others.” They contended that “the delinquent behavior of girls usually channels itself into more personal activities” like running away from home and sexual misconduct.⁹⁵

There was one development in female juvenile delinquency in Texas that shocked officials; a survey conducted in 1951 showed twenty percent of girls at the Gainesville institution had used narcotics. Maxine Burlingham, the superintendent at Gainesville, stated, “When we were asked how many had narcotics records, I ventured a guess it would be around 5 per cent. I was amazed when a quick survey showed 20 per cent, plus.” What was even more surprising, Burlingham contended, was that the average age of drug users at the Gainesville school was fifteen years old: “Imagine the horror of a 12-year old girl being addicted.”⁹⁶

These findings inspired the *Austin American Statesman* to run a four-part news series investigating narcotics use among teenage girls in Texas. These news reports, written by Martha Cole of the Associate Press, presented similar conclusions as the experts who testified before the subcommittee on juvenile delinquency. The Texas Junior Chamber of Commerce noted how drug peddling across borders exacerbated the state’s narcotics problem. However, they pointed out that most of the drugs in Texas originated from

⁹⁵ Report of Juvenile Courts, 1955, 8, Box – 1999/087-8, Juvenile court reports, records, Texas Youth Commission. Archives and Information Services Division, TSLAC, Austin, TX.

⁹⁶ “State School Girl Dope Record: 20%,” *Austin American Statesman*, 9 November 1951.

Louisiana “because of heavy penalties that state is imposing for narcotics violations.” In an attempt to find an explanation as to why these girls became involved in narcotics, Cole sought answers from the girls themselves. “I was curious, that’s all,” and “I couldn’t get a job. [Taking drugs] makes you feel happy,” were among some of the reasons as to why these inmates experimented with narcotics. It was not a coincidence, Cole contended, that all of the girls who took dope came from “broken homes” and were institutionalized for sexual promiscuity. Officials at the school blamed a lack of supervision from parents. After reading through the case history of one of the girls whose mother remarried several times, Burlingham threw the folder down on her desk and shook her head: “Parents. If we only could do something about parents.”⁹⁷

Since school officials could do little in terms of reforming “broken homes,” they turned to a carefully developed curriculum to “rescue” the girls at Gainesville. In order to combat the changes occurring in postwar society, several southern states used their juvenile detention centers as a place where “wayward” youth could be segregated from the rest of society as well as reeducated back into their traditional roles. For white girls this meant training to become future homemakers. The TYDC employed a curriculum at the Gainesville School, the all white girl institution in the state, that focused on reeducating delinquent girls to be submissive wives and mothers. Gainesville held lessons in floristry, English, business education, music, cooking, elementary education, homemaking, institutional sewing, and

⁹⁷ Martha Cole, “‘Why Can’t We Do Something to the Parents?’” *Austin American Statesman*, 21 November 1951.

physical education. According to *The Austin American Statesman*, the homemaking courses were “as practical as a saddle on a horse.”⁹⁸

The floristry class focused primarily on corsage making, fundamental art, and club activities projects all of which could help the girls beautify their future homes. However, the class had several aims besides learning design, the effective use of floral materials, and table decorating. According to officials, the instruction in floristry aimed “to awaken the students’ natural love for flowers” and “to open new channels of aesthetic appreciation.” Although it was the newest of the classes in 1950, the school officials believed the floristry department had “created a love for beautiful things,” “improved mental health,” and taught the girls “to think beautiful thoughts,” which were traits the instructors associated with femininity.⁹⁹

While Gainesville did offer business courses, the staff taught the girls office skills that would limit them to secretary work. Inmates received instruction on typing, shorthand, filing, business spelling, and business math. The purpose of the business department was “to give the girls some practical instructions that will enable them to provide at least a part of their livelihood after leaving the school.”¹⁰⁰

Although the Gainesville school offered courses in business, the TYDC viewed homemaking as a vital part of the inmates’ success after incarceration. Texas officials echoed the findings of national entities like the U.S. Senate Subcommittee on Juvenile

⁹⁸ “Gainesville State School Girls Learn Practical Subjects in Study Courses,” *The Austin Statesman*, 1952, 14.

⁹⁹ “Gainesville Sate School Open House,” 1950, Box – 1999/087-3, State Youth Development Council early history scrapbooks, records, TYC, Archives and Information Services Division, TSLAC, Austin, TX.

¹⁰⁰ Ibid.

Delinquency who believed that by challenging their “proper” roles as homemakers, working women compromised their child’s behavior. The Texas Training School Code Commission often referred to a triumvirate of reasons behind the increase in juvenile delinquency: “homes broken by death, divorce, or working mothers.”¹⁰¹ Believing a mother’s employment to be as consequential as death and divorce, Gainesville officials saw it as critical to offer a myriad of classes that would reeducate girls into their assumed duties as wives and mothers. Classes on cooking, sewing, and homemaking attempted to teach the “responsibilities of homemaking, marketing, and meal planning.” School officials also encouraged the inmates to decorate their own rooms with personal belongings brought from home as a way to practice decorating their future homes. In a 1949 article in the *Austin American Statesman*, Maxine Burlingame, Superintendent of Gainesville, stated “The stress is put on meals for hard working people” since “most [of the] girls will marry laborers who want fried potatoes with their breakfast.”¹⁰²

The 1950s stood as a precipice of a gender and sexual revolution that no amount of homemaking lessons could stop. This did not prevent the TYDC from trying to control their inmates once they were paroled. When released from the institution, Gainesville girls were expected to maintain a close relationship with the superintendent. They were required to sign an Order of Parole form in which the girls agreed to send “bi-weekly letters to the

¹⁰¹ “Child by Child We Build a Nation,” 1949, 27, Box – 1999/087-7, Youth Commission facilities and programs history and information notebooks, records, Texas Youth Commission Archives and Information Services Division, TSLAC, Austin, TX.

¹⁰² “Gainesville State School Girls Learn Practical Subjects in Study Courses,” *The Austin Statesman*, 11 October 1949, 14.

Institution.” These contracts also stipulated that the young women were “not to marry without the consent of the Superintendent” for the duration of parole.¹⁰³

For delinquent black girls in Texas, reform and rehabilitation looked markedly different from their white counterparts. Juvenile institutions for African American girls opened noticeably later than other schools for delinquent children. The push to open an institution for black female youth in Texas, for example, began decades before Brady’s founding but the support and funds remained inadequate. Concern over public safety, in this case prostitution on military bases during World War II, pushed lawmakers to finally open the school. William Bush contends that Texas’s delay in opening an institution for black girls not only exposes the prejudices of the Jim Crow era, but it also demonstrates the state’s unwillingness to include African American youth in “categories of childhood and adolescence.”¹⁰⁴

Texas established the Brady State School for Negro Girls on an abandoned prisoner of war camp and the campus accepted its first students on February 14, 1947. Three years later the legislature moved the institution to Crockett, Texas.¹⁰⁵ Crockett was supposed to emulate the cottage-like feel found at the Gainesville school for white girls, but from its

¹⁰³ Document – Order of Parole, records, TYCA, Box - 1991/016-17, TYC, Archives and Information Services Division, TSLAC, Austin, TX.

¹⁰⁴ This does not suggest that African American girls were the group to participate in prostitution on army bases. As Bush points out, lawmakers established clinics in Houston but they only offered services to white and Hispanic girls. This exclusion, coupled with the absence of a training school for black girls, caused Houstonians to see the “V-girl” problem as a black girl problem. Bush, *Who Gets a Childhood?*, 72 & 74.

¹⁰⁵ “Manual on Preparation of Children for Admission to the State Training Schools,” 1956, 13, “Folder – Agency Wide Manuals,” Box 1999/087-1, Policy and procedure handbooks and manuals, records, TYC, Archives and Information Services Division, TSLAC, Austin, TX.

inception, Texas's all-black girl institution was burdened by policymaking that sought to preserve the racial status quo. While officials at Gainesville taught white girls homemaking classes in order to maintain their own future homes and families, authorities at Crockett instructed black girls in commercial cleaning skills that prepared them to work for white families. According to the TYDC, these courses were "designed to help girls secure and hold jobs in hotels and private homes."¹⁰⁶ The TYDC believed that the girls at Crockett had "low mentalities and very poor educational backgrounds" and therefore considered it "difficult, if not impossible, to teach many of them any sort of trade."¹⁰⁷

Since lawmakers saw a rejection of traditional roles as an act of delinquency, they believed that criminally minded youth needed to be rehabilitated through specific training and conditioning. For African American girls this meant using their incarceration as a time to cement their futures as domestic servants. According to historian Rebecca Sharpless, "the social logic of the American South, dictated that African American women, arguably the lowest position, would be the cooks."¹⁰⁸ Sharpless contends that from the Reconstruction era through the 1960s, the word "cook" was often synonymous with black women, and the meager wages of these domestic servants allowed white southerners to further "exalt their social position."¹⁰⁹ While Jim Crow faced unprecedented challenges in the 1950s, southern

¹⁰⁶ Ibid.

¹⁰⁷ Ibid., 27.

¹⁰⁸ Rebecca Sharpless, *Cooking in Other Women's Kitchens: Domestic Workers in the South, 1865-1960* (Chapel Hill: University of North Carolina Press, 2013), 3.

¹⁰⁹ Sharpless, *Cooking in Other Women's Kitchens*, 8.

lawmakers used carceral policy to preserve this historical tradition of African American womanhood by training incarcerated females in service work.

Although the Crockett school offered some training in homemaking and child rearing, the curricula sought to train inmates in jobs relegated to African Americans, such as cosmetology, typing, and commercial cleaning. These lessons fell in line with the accommodationist attitudes of various civil rights leaders, most notably Booker T. Washington.¹¹⁰ Proponents of the institution believed this method would yield the most success in terms of rehabilitation, reform, and racial uplift. According to lawmakers, the purpose of the juvenile system was to rehabilitate wayward youth into useful citizens and good citizenship meant adhering to the racial status quo.¹¹¹

Unlike the Gainesville School, the living conditions and allowances at Crockett stripped the inmates of any individuality or privacy. The girls at Crockett did not have their own personal living space like the girls at Gainesville. Instead, they experienced communal living with fellow inmates where they were allowed a bed, chair “and a dressing table made of two wooden crates covered with gingham.” Further, the Crockett school did not provide the girls with closets, but instead, provided a clothing room where all of the girls placed their garments on designated hangers.¹¹² While Gainesville girls were given floral dresses upon

¹¹⁰ For more on Booker T. Washington see Jacqueline M. Moore, *Booker T. Washington, W.E.B. Du Bois, and the Struggle for Racial Uplift* (Wilmington, Del.: Scholarly Resources, 2003) and Robert J. Norrell, *Up from History: The Life of Booker T. Washington* (Cambridge, Mass.: Belknap Press of Harvard University Press, 2009).

¹¹¹ Bush, *Who Gets a Childhood?*, 78-79.

¹¹² “Child by Child We Build a Nation,” 1949, 16, Box – 1999/087-7, Youth Commission facilities and programs history and information notebooks, records, Texas Youth Commission Archives and Information Services Division, TSLAC, Austin, TX.

their arrival, the girls at Crockett were required to mail their personal belongings back home in exchange for uniforms that resembled those worn by Army nurses.¹¹³ The uniforms at Crockett reflect the regimented guidelines of the school that did not exist to such an extent at the Gainesville school. All of the dresses were uniform and industrial in style in order to ensure the absence of individuality and expression.

The training program and conditions at Crockett inspired growing conflict within the school's administration. Racial tension within Brady hindered the efficacy of their reform program. On several occasions, white male workers at Brady challenged the authority of the school's black female superintendent, Iola Rowan. White workers saw Brady as an "employment agency providing black labor to local whites" around its campus, which not only allowed the labor exploitation of African Americans, it contradicted black visions for the institution as a place that offered legitimate rehabilitation opportunities to lost girls. According to Bush, these tensions rubbed off on the inmates at Brady, resulting in open rebellion and a custodial rather than educational atmosphere.¹¹⁴ He contends that the so-called modern efforts of juvenile reform boasted by the TYDC failed when officials refused to let go of the region's long history of discriminatory social traditions.¹¹⁵ The inability of TYDC to surrender racial and gender prejudices yielded a juvenile justice system that abandoned reform.

Conclusion

¹¹³ Ibid., 16.

¹¹⁴ Bush, *Who Gets a Childhood*, 79-80.

¹¹⁵ Ibid., 93-96.

The increase in juvenile delinquency after World War II exposed the ways in which lawmakers, seeking to preserve the gender and racial standards of the “Greatest Generation,” failed to keep up with the social changes of the 1950s. While experts before the subcommittee pointed to the “broken home” as a significant factor contributing to rising youth crime rates, southern lawmakers fretted over the impact of integration, in particular, on their white youth. With each success of the civil rights movement, southern officials looked for ways to resist federally mandated desegregation. According to Wilkinson, “Race made the South a much maligned region and threw it on the defensive.” In the late 1950s and early 1960s, as the civil rights movement forged on and African Americans became a significant voting block throughout the South, the topic of race relations became “passé” in political conversations. As a result, southern officials turned to carceral policy as a way to preserve racial hegemony.¹¹⁶

¹¹⁶ J. Harvie Wilkinson, III, *Harry Byrd and the Changing Face of Virginia Politics 1945-1966* (Charlottesville: The University Press of Virginia, 1968), 345-346.

Conclusion

In a testimony before the Senate Homeland Security and Governmental Affairs Committee on August 4, 2015, author and convicted felon Piper Kerman, whose memoir inspired the hit Netflix drama *Orange is the New Black*, offered familiar observations of America's carceral state. Much like early twentieth century reformers who attempted to initiate penal reform, Kerman contends that women's prisons do not address the specific needs of female inmates and provide nearly no means of rehabilitation and education, leaving parolees without the skills or opportunity necessary to avoid recidivism. Kerman, who spent thirteen months in a federal women's facility in Danbury, Connecticut, for money laundering and drug trafficking, crimes she committed at the behest of her ex-lover a decade before her incarceration, argued that convicted women have a strong desire to "reclaim our rights of citizenship."¹ Echoing the reformers who came before her, Kerman noted that incarcerated women and girls face different challenges and require special attention compared to male prisoners. In her testimony, Kerman called on the Bureau of Prisons to adopt "gender responsive correctional approaches that interrupt cycles of unnecessary suffering," namely

¹ Senate Committee on Homeland Security and Government Affairs, *Oversight of the Bureau of Prisons: First-Hand Accounts of Challenges Facing the Federal Prison System*, 114th Cong., 1st sess., 4 August 2015; Office of Communications, "Orange is the New Black author Piper Kerman to deliver the 2016 Krieger Lecture, February, 9 2016," January 15, 2016, <http://info.vassar.edu/news/2015-2016/160209-krieger-piper-kerman.html> (accessed March 7, 2016).

sexual abuse, restricted access to education, and more opportunities to see their children while serving time.²

Kerman's statements simultaneously point to a reverberation of early twentieth century penal reform while exposing what these reforms failed to achieve. Southern paternalism drove officials to develop carceral policies meant to control and punish, rather than reform, convicted women and children. However, this outcome does not necessarily point to a failed progressive penal reform movement. If anything, early twentieth century progressivism encompassed the same gender and racial aims as southern traditionalists and aided paternalistic carceral policies in achieving social control.

The progressive and paternalistic policies that established southern carceral institutions in the first decade of the twentieth century took on different forms and functions in the subsequent decades. In the 1920s, the influence of medicine, psychiatry, and mental hygiene in explaining and "eradicating" crime allowed for officials to implement methods of "scientific" social control. Indeed, a key component to 1920s penal reform and criminology was the way in which medicine came to inform how lawmakers understood various "causes" of crime. The prevailing belief was that crime was sign of a physical or mental illness that was most likely hereditary. These new theories of crime became mainstream in the 1920s and as a result, eugenics, sterilization, and mental hygiene moved from the margins of acceptable policy and practice and into legislative carceral policy. Carceral institutions themselves were venues in which medical and state authorities could study criminality and choose those inmates they believed to be dangerous to society and the future of humanity. In its most

² Senate Committee on Homeland Security and Government Affairs, *Oversight of the Bureau of Prisons: First-Hand Accounts of Challenges Facing the Federal Prison System*, 114th Cong., 1st sess., 4 August 2015.

severe form, “scientific” social control allowed for the stripping of individual liberty through the sterilization of thousands of individuals, primarily women, who the state feared would breed generations of “bad” citizens. Although these campaigns were not unique to the South and indeed were carried out more prevalently in the North and West, lawmakers in North Carolina and Virginia, in particular, embraced these ideas “from the North” and developed policies that employed eugenical methods.

During the 1930s, the economic troubles of the Great Depression began exposing just how makeshift and anti-reformatory the southern carceral state was. Poor economic conditions in the region coupled with overpopulated carceral institutions led to an abandonment of education based reform methods in favor of physical punishment. The rebellion of female inmates at Samarcand Manor and the death of Raymond Tefeller revealed a carceral state that resembled nineteenth century prisons rather than twentieth century progressive reformatories. Both incidents caused concerned citizens in the region to write to state authorities questioning and challenging the barbarism that existed within the institutions.

By the 1940s and 1950s, southern reformers became disillusioned with the carceral state as pressure for African American civil rights and inclusivity began undermining their preservationist goals. In response to an article written by Sarah Payton Boyle, a Virginian author and housewife who called on the racial integration of southern institutions, Nell Battle Lewis stated

It recalled to me those lamentable days now, happily, however, well in the past – when I, too, was a South-saver, though never along this particular line, the inter-racial. The smug assumption of superiority on the part of the author evident in this piece made me blush, not only for Mrs. Boyle, but for another

half-baked reformer, the one I used to be.³

It appeared, after World War II, that challenges to southern racial and gender tradition would not only come from a criminal class, but from federal action. Reacting to postwar civil rights legislation, southern historian Francis B. Simkins argued, “The end of the Second World War witnessed a renewal of southern vigilance.” Indeed, he saw calls for integration as a threat to southern racial traditions: “The concept of the Everlasting South was assaulted by the forces which during the last ten years have shaken the world from its ancient moorings. The South was threatened with federal legislation designed to upset established standards of criminal justice and of voting.”⁴ Southern lawmakers, therefore, responded to the collapse of racial segregation with a new model of incarceration, one that many scholars refer to as “the new Jim Crow.”⁵

Southern lawmakers fashioned paternalistic correctional strategies that conformed to a white male definition of citizenship, without any consideration for the women and children they were trying to reform. The prison population reflected the varied demographic composition of the region: incarcerated southern women and children represented every socioeconomic class, generation, and race. While progressives encouraged a carceral state that would “get to know” the individual criminal, their life before conviction and the factors

³ Nell Battle Lewis, “Southerners and Integration,” *Charlottesville Progress*, 4 March 1955.

⁴ Francis Butler Simkins, “The Everlasting South,” *The Journal of Southern History* 13, no. 3 (August 1947): 316 & 318.

⁵ For more see Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York: New Press, 2011); Dennis Childs, *Slaves of the State: Black Incarceration from the Chain Gang to the Penitentiary* (Minneapolis: University of Minnesota Press, 2015) and Becky Pettit, *Invisible Men: Mass Incarceration and the Myth of Black Progress* (New York: Russell Sage Foundation, 2012).

contributing to their criminality, the institutional model that was established was too big and too concerned with its own desires to achieve these goals. Southern paternalism infantilized their incarcerated women and children, in legal as well as practical terms, as a way to recondition the learned “depravities” of their troubled existence before incarceration and in the end this authoritarian governing ideology failed the imprisoned and the society it intended to protect. Further, the state never relented in their desire to reform wayward women and children into their southern ideals of whiteness and Victorian womanhood. When measured against southern constructs of race and gender, few (now stigmatized) inmates could achieve white, mythical notions of nineteenth century gender and racial norms. In many ways, the southern carceral state was too state-centric. It spent too much time focusing on what the state wanted (racial preservation via gender and racial conformity) rather than what the incarcerated needed (economic assistance programs, loosening of social constructs, racial uplift, and community building).

Unfortunately, the failure of the American carceral state is a trend with unrelenting longevity, one that is exacerbated with modern quixotic policy initiatives that create new categories of criminality. For example, since President Richard Nixon declared a “War on Drugs” in 1971, the size of federal drug control agencies has grown exponentially, and as a result, so has the number of incarcerated Americans for non-violent drug offenses. The United States currently imprisons over two million people, a greater percentage of its population than any country in human history.⁶ Historians of the American carceral state

⁶ As of 2012, the United States had 500,000 more inmates than the second-ranked People’s Republic of China in prison population. For more on world prison rankings see “Highest to Lowest - Prison Population Total,” World Prison Brief, accessed May 8, 2016, [http://www.prisonstudies.org/highest-to-lowest/prison-population-total?field_region_taxonomy_tid=All](http://www.prisonstudies.org/highest-to-lowest/prison-population-total?field_region_taxonomy_tid=All;).; For more on the percentage of drug offenses see

have sought to identify the origins of this mass incarceration policy and to determine the efficacy of modern reform efforts. Of particular concern is the disproportionate number of black men and women who are incarcerated, which raises questions about racial prejudice in the post-Jim Crow United States. Further, scholars are beginning to pay closer attention to the gender-specific challenges facing female prisoners throughout history, a facet they cannot ignore considering the staggering 646 percent increase in women prisoners between 1980 and 2010. Indeed, the percentage of growth in the female prisoner population grew exponentially at the beginning of the twenty-first century and continues to outpace the corresponding male rate.⁷ According to Kerman, the majority of convicted women, much like herself, get caught up in the world of drugs and crime through abuse and manipulation from men or significant others. While most of these women pose no viable threat to society, the state insists on arresting “people who are inconvenient.” In another speech at Vassar College, Kerman argued “Incarceration is driven by policy, not by crime.”⁸ The result is a carceral state that is too big and a social welfare state that is too small. As social welfare programs shrink, the populations in American prisons grows in such a way that makes true rehabilitation nearly impossible to achieve.

“Mass Criminalization,” Drug Policy Alliance, accessed May 8, 2016, <http://www.drugpolicy.org/mass-criminalization>.

⁷ “Why it Matters,” Women's Prison Association, accessed May 8, 2016, <http://www.wpaonline.org/about/why-it-matters>.; U.S. Department of Justice, Bureau of Justice Statistics, *Historical Corrections Statistics in the United States, 1850-1984*, by Margaret Werner Cahalan, (Washington, DC, December 1986) and U.S. Department of Justice, Bureau of Justice Statistics, *Prisoners in 2010*, by Paul Guerino, Paige M. Harrison, and William J. Sabol, (Washington, DC, December 2011).

⁸ Piper Kerman, “Orange is the New Black: An Evening with Piper Kerman,” speech at Vassar College February 9, 2016, part of Alex Krieger '95 Memorial Lecture Series.

Appendix

Penal Codes of Alabama, North Carolina, Tennessee, Texas, and Virginia
Definitions of “delinquent child”

Alabama – The Code of Alabama, Volume II – Criminal – August 17, 1923.

Article 1. General Provisions at to Juvenile Delinquents, 3528 (6450) Definitions (3) “Delinquent child”

The words “delinquent child” shall mean any child who while under sixteen years of age violates any penal law of the United States or of this state, or any regulation, ordinance or law of any city, town or municipality, or who commits any offense or act for which he could be prosecuted in a method partaking of the nature of a criminal action or proceeding; or who is beyond the control of his parent, parents, guardian, or custodian, or who is otherwise incorrigible, or who is guilty of immoral conduct; or who is leading or for any cause is in danger of leading an idle, dissolute, lewd or immoral life; or who engages in any calling, occupation or exhibition punishable by law or is found in any place for permitting which an adult may be punished by law; or who so deports himself as to endanger his health, morals, or general welfare; or any child who has been brought before any other court charged with a crime and which court has by proper order transferred said child to the juvenile court to be dealt with under the terms of this chapter. All such children, hereinabove described dependent, neglected or delinquent, shall be deemed wards of the state and entitled to its care and protection. The state shall exercise its right of guardianship and control over such children in the manner and form hereinafter provided. This chapter shall be liberally construed in order to accomplish the beneficial purposes declared.

North Carolina – Jerome’s Criminal Code and Digest of North Carolina – Fourth Edition – 1916.

Sec. 1179 (a). Reclamation and punishment of youthful criminals.

That this act shall apply to children eighteen years of age and under, except in extreme and criminal cases as is hereinafter provided.

- (a) A child shall be known as a juvenile delinquent when he violates any municipal or state law, or when, not being a law violator, he is wayward, unruly and misdirected, or when he is disobedient to parents and beyond their control, or whose conduct and environment seem to point to a criminal career.

Tennessee (Chapter 7 § 4436a-33)

The words “delinquent child” shall include any child under the age of sixteen years who violates any law of the state or any city or town ordinance, or who is incorrigible, or who is a persistent truant from school, or who associates with criminals or reputed criminals or vicious or immoral persons, or who is growing up in idleness or crime, or who frequents, visits, or is found in any disorderly house, bawdy house, or house of ill-fame or any house or place where fornications is enacted, or in any saloon, barroom, or drinking shop or place, or

any place where spirituous liquors or wine or intoxicating liquors or malt liquors are sold at retail, exchanged or given away, or who patronizes, frequents visits, or is found in any place where any gaming device is or shall be operated, or who wanders about the streets in the night time without being on any lawful business or occupation, or who habitually wanders about any railroad yards or tacks or climbs on any moving train or enters any car or engine without authority, or who habitually uses vile, obscene, vulgar, profane, or indecent language, or is guilty of immoral conduct in any public place or about any schoolhouse.

Texas – Penal Code of the State of Texas – 1925

Title 16 – Delinquent Child. Article 1083

The term “delinquent child” shall include an boy under seventeen years of age or any girl under eighteen years of age who violates any penal law of this State, or who is incorrigible, or who knowingly associates with thieves, vicious or immoral persons, or who knowingly visits a house of ill repute, or who is guilty of immoral conduct in a public place, or who knowingly patronizes or visits anyplace where a gambling device is being operated, or who knowingly patronizes or visits any place where a gambling device is being operated, or who habitually wanders about the street in the night time without being on any business or occupation, or who habitually wanders about any railroad yard or tracks, or habitually jumps on an d off moving trains or who enters any car or engine without lawful authority. Any such child committing any of the acts herein mentioned shall be deemed a delinquent child, and shall be proceeded aginast as such in the manner hereinafter provided, and as otherwise so provided so as to effect the object of this law. [Acts 4th C.S. 1918, p. 43]

Virginia

Chapter 18 § 1906 Terms Defined

For the purposes of this chapter the words “delinquent child” shall include a child under eighteen years of age who:

- Violates a law of this State or a city, town or county ordinance, or
- Is incorrigible; or
- Is a persistent truant from school; or
- Habitually associates with vagrants, criminals or reputed criminals, or vicious or immoral persons; or
- Is an habitual loafer or vagrant; or uses habitually intoxicating liquor as a beverage, or who uses opium, cocaine, morphine, or other similar drug without the direction of a competent physician; or
- Frequents a disorderly house, or house of ill fame; or
- Frequents a gambling house or place where a gambling device is operated; or
- Habitually and without restraint uses or writes, or circulates vile, obscene, vulgar, profane or indecent language, or is guilty of acts of moral perversion.

Opening of Juvenile Carceral Institutions in Alabama, North Carolina, Tennessee, Texas, and Virginia

School	Year (Established) Opened	Public/Private	Race of Students
Alabama Boys Industrial School (ABIS)	(1899) 1900	Public	White
Alabama – Home of Refuge (State Training School for Girls) near Birmingham	1908	Private until 1911	White
Alabama Reform School for Juvenile Negro Law Breakers (Co-educational)	1907	Private until 1911	Black
Alabama Rescue Home for Girls	1919	Private until 1931	Black
North Carolina - Samarcand Manor (North Carolina's Industrial Home for Girls)	1918	Public	White, accepted women at first
North Carolina – State Training School for Negro Girls	1921	Private until 1943	Black
Tennessee State Training and Agricultural School for Boys in Nashville	1914	Public	White
Tennessee State Training and Agricultural School for Colored Boys near Pikesville	1917	Public	Black
Tennessee Vocational School for Girls	1915	Public	White
Tennessee Vocational School for Colored Girls	1923	Public	Black
Texas - Gatesville State School for Boys	(1877) 1889	Public	Black and White, but segregated
Texas – Gainesville State School for Girls	(1913) 1916	Public	White

Texas – Brady School for Negro Girls/Crockett State School for Colored Girls	(1927) 1947	Public – took 20 years for appropriations to be approved	Black
Virginia Home and Industrial School for Girls at Bon Air (Bon Air School)	1910	Private until 1914	White
Virginia - Industrial Home for Wayward Colored Girls/Virginia Industrial School for Colored Girls	1915	Private until 1920	Black

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