

A GRAVE INJUSTICE:  
INSTITUTIONAL TERROR AT THE STATE INDUSTRIAL HOME FOR  
NEGRO GIRLS AND THE PARADOX OF JUVENILE DELINQUENT REFORM  
IN MISSOURI,  
1888-1960

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In Partial Fulfillment of the Requirements for the Degree  
Master of Art

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by  
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The undersigned, appointed by the dean of the Graduate School, have examined the thesis entitled

A GRAVE INJUSTICE: INSTITUTIONAL TERROR AT THE STATE INDUSTRIAL HOME FOR NEGRO GIRLS AND THE PARADOX OF JUVENILE DELINQUENT REFORM IN MISSOURI, 1888-1960

presented by Leroy M. Rowe,

a candidate for the degree of Master of Arts,

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## Introduction

### Young and Vulnerable: The Child Savers' Progressive Ideals

Within the past fifty years many scholars have questioned the utility of the modern corrections system. This is especially true of the juvenile justice system that deals primarily with youths less than eighteen years of age. Past and present failings have caused public confidence in this system's ability to rehabilitate America's young offenders to diminish sharply. Late nineteenth- and early twentieth-century reformatories and training schools were developed as alternatives to the dehumanizing state owned penitentiaries, prisons and jails, and orphanages and house of refuges that religious and civic organization operated for homeless and delinquent youths. The record of these progressive institutions, however, runs parallel to that of their predecessors. Overcrowding, insufficient funding, physical and emotional abuse, and neglect are most commonly associated with these progressive era institutions.

How successful were the policies reformers initiated, what effects they have had on America's youths, and what motivated reformers have long been topics of debates between criminologists and legal historians of the prison reform era. This dialogue has produced two distinct lines of argument: the argument that stresses the "humanitarian impulse" of the reformers (which continues to dominate this debate) and the revisionist argument that highlights the reformers self-serving class ideals and the limitations of the systems they initiated at the dawn of the twentieth-century. However, one thing all sides can agree on is that the twentieth century was the "century of the juvenile courts" and its related institutions. These courts accomplished many great reforms in the area of juvenile justice, but they also failed to correct the

many injustices nineteenth and twentieth century youths had to endure at the hands of the legal system.

During the latter part of the nineteenth century the social ills of industrialization overwhelmed most Americans: causing significant changes across all segments of society. The urban population brought on by immigration and migration, an increase in violent, as well as moral crimes like prostitution helped shatter the traditional agrarian lifestyle that most Americans grew up with and had become accustomed. Young children were the ones most affected by this change. Those who ran into trouble with the law found refuge in the development of the Progressive Movement. Progressive reformers recognized the need to save delinquent youths and set out to do just that.

These reformers established institutions that were intended to save affected children from social problems. For children who were imprisoned in America's jails and prisons, reformers had a simple solution: save them by reforming the criminal system and establish reformatories specifically designed for delinquent youths, and create a separate court system for adults and juvenile. They first accomplished this goal when the Illinois legislature established the first juvenile court in 1899. However, what was done with good intentions failed miserably. Social and political factors that reformers overlooked, such as race relations and deep-rooted cultural customs, affected how individuals in government appropriated resources for these institutions and how inmates would be treated. These factors shattered reformers' goals of achieving a truly effective and humane corrections system.

The social and economic changes brought on by the industrial revolution transformed the way many Americans thought about themselves as individuals and as a society. A few families acquired vast economic wealth. With such prosperity, they were able to educate their children. In addition, their children did not have to work in factories to supplement the family's income. Yet this was not the case for a majority of American families. For working class families, their children's lives were vastly different. In the midst of such vast wealth, the majority of urban youths worked in factories or roamed the urban streets in search of their next meal. Poverty was most obvious in the city slums of industrial cities. But until Henry George's book, *Process and Poverty* (1879), which asked why in the midst all this wealth, so many Americans live in poverty, such conditions were never addressed by any governmental or social organizations. It was around this period that the beginnings of the Progressive movement surfaced.<sup>1</sup>

Privileged with the social and economic affluence of their class status, middle class Americans believed that they could improve not just their personal lives but society as a whole. In response, some dedicated themselves to a path of social reform by advocating social responsibility, women's rights, and a return to traditional family values. Their efforts resulted in new forms of social control and a commitment to self-control, self-discipline, and self-improvement. The new reformers promoted ideas of social discipline as an answer to America's ills, such as temperance. Also, in the case of women, new emphasis was placed on sexual control. But many obstacles stood in their way. For example, America's social order was still rigidly divided along race and

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<sup>1</sup> James A. Henretta, et. Al., *America's History: Since 1865, 4<sup>th</sup> edition, Volume.2* (Boston: Bedford/St. Martin's, 2000), 641.

gender lines, as well as by class. Economic growth fostered the creation of new social classes, consisting of wealthy urban business elites, a prosperous, educated middle-class, and a mass of wage-earning laborers who were clustered in inner-city communities.

Crime raged through these inner-cities communities and affected the life of many children. In the decades immediately following the Civil War, crime threatened to consume a generation of young men and women. The cities provided the environment for them to be exposed to all sorts of vice. Although they were to become the future workers of America, children were the ones most affected by industrialization. The growing manufacturing economy of the United States affected all facets of American society, including the family.

Clearly, African American and immigrant families constituted a majority of the urban poor. They were the ones who felt the brunt of industrialization and its effects. As mothers and fathers went off to work in factories as wage laborers, they had less time to take on the daily responsibilities of parenting. Unlike the ideal Victorian lady, African American and immigrant women could not afford not to work; they had to choose between spending more time with their children, working in factories, or as domestic servants – often taking care of the children of Victorian families – or having their children starve. However unavoidable this was, it was considered un-American parenting, and these parents were viewed as unworthy of their children. To the middle and upper classes, poor families cared less about the welfare of their children, but that was because wealthy Americans judged working class Americans from their own

perspectives. Their children did not have to walk the streets of America's slums amongst the cities' drunks and notorious criminals.

Reformers argued that the principal cause for youths' deviant behaviors was a direct connection between urban children's lack of a "normal childhood"<sup>2</sup> and the un-Victorian parenting style of their *alien* parents. In other words, urban youths lacked the necessary skills to survive in a progressive America. They needed to be rescued; someone needed to save them from all the social ills of society. One group of Americans, the progressive "Child Savers,"<sup>3</sup> recognized the need to save these youths and set out to do just that. Victorian women who devoted their time and energy to the child saving cause dominated this group. These women saw this as an extension of their domestic childrearing role in society. Their volunteerism was viewed – similar to the relationship shared between the abolition cause and the suffragist movement – as an avenue to break into the public sphere and overcome gender barriers.<sup>4</sup> Public officials in federal, state, and local governments became their most reliable allies.

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<sup>2</sup> See James Marten, *Childhood and Child Welfare in the Progressive Era: A Brief History with Documents* (Boston and New York: Bedford/St. Martin's, 2005).

<sup>3</sup> For a detailed account of the child savers movement and the development of delinquent institutions, see Anthony M. Platt, *The Child Savers: The invention of Delinquency*, 2nd ed. (Chicago and London: The University of Chicago Press, 1977).

<sup>4</sup> Robyn Muncy, *Creating a Female Dominion in American Reform 1890-1935* (New York and Oxford: Oxford University Press, 1991). Especially see chapter one on the Hull House, 1890-1910; in this book, Robyn Muncy argues that during the 1880s and 1890s, middleclass women such as Jane Adams and Ellen Gates Starr, fostered a peculiarly female culture that emphasized humanity, relationships, care, and service. Through these networks of association, many women were able to camouflage themselves under the cult of true womanhood while carving out their own sphere in public life. The Hull House project, founded by these women in Chicago, gave them the tool to make this possible. For example, Jane Adams defined a settlement as "an experiment in effort to aid in the solution of the social and industrial problems which are engendered by the modern conditions of life in a great city." Therefore, by declare themselves to the service of others, they were able to justify their independence, and at the same, took advantage of the new opportunities in public life and define new professions for themselves.

In his book, *Politics and Vision*, Sheldon Wolin notes that of all the authoritative institutions in society, government is “singled out as uniquely concerned with what is “common” to the whole community.” Indeed, political institutions have retained the responsibility of performing “[c]ertain functions, such as...internal order, ...[and]... the dispensing of justice,...largely on the grounds that the interest and ends served by these functions [are] beneficial to all....”<sup>5</sup> Most often, however, children, and to an even greater degree, members of our cultural and ethnic minorities are the ones who receive the least of such benefits and suffer the most anguish whenever governmental policies are applied in the name of the greater good of all. Progressive reformers held the belief that government needed to use its authority to correct most of society’s vices and create balance, which they thought would most definitely lead to social equality.<sup>6</sup>

Criminologist Anthony Platt argued in his book, *The Child Savers*, that while the efforts of progressive child-savers has been characterized as purely humanitarian, “this humanitarianism reflected their class background and elitist” notions of what constituted proper family structures and social values. He further notes that the movement to create the juvenile court system went far beyond its humanitarian aspiration of saving delinquents from the horrors of county jails and state prisons. “It was no accident,” Platt points out, “that the behaviors selected for penalization by the child savers – drinking, begging, roaming the streets, frequenting dance-halls and movies, fighting, sexuality, staying out at night, and incorrigibility – were primarily

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<sup>5</sup> Sheldon Wolin, *Politics and Vision: Continuity and Innovation in Political Thought* (Boston: Little, Brown, 1960), 2.

<sup>6</sup> David J. Rothman, *Conscience and Convenience: The Asylum and Its Alternatives in Progressive America* Revised Edition (New York: Aldine de Gruyter, 1980), 49-50. Also see James Marten, *Childhood and Child Welfare in the Progressive Era* and Anthony Platt, *The Child Savers*.

attributed to the children of the lower-class migrant and immigrant families.”<sup>7</sup> In fact, the reforms policies actually affected the lives of poor urban youths and children of minority backgrounds more than they did the children of white upper and middle class families.

The historical failures of the juvenile justice system, for example, should not be surprising to us today. According to Platt, if the juvenile court system is viewed as an instrument of class and racial oppression, that emerged with the purpose “to regulate the children of the urban working-class and to attune them to the realities and discipline of industrial life under advanced capitalist, then its “failures” are not surprising.”<sup>8</sup> Therefore, according to Platt, the juvenile justice system should not be viewed as an agency of rehabilitation or social equality. The system serves the function of forcing working-class and minority youths into further economic oppression. He further notes that systemic institutional racism and sexism within the criminal justice system is blatantly used to undermine and repress the poor and minorities’ prospects of full societal integration.<sup>9</sup>

Douglas E. Abrams, the author of *A Very Special Place in Life*, disagrees with Platt’s thesis. He points out that Child Savers “were sincere” in their efforts to provide needy children with the possibility of achieving “better lives.” Abrams’ book examines over a century of juvenile justice in the state of Missouri. In this regard, Abrams notes that there has been considerable progress since the nineteenth century.

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<sup>7</sup> Anthony Platt, *The Child Savers*, 139.

<sup>8</sup> *Ibid.*, 192.

<sup>9</sup> *Ibid.*

Unlike historians who Abrams describes as “revisionist,” he argues that “individual child savers may have been parochial or just plain wrong in some of the positions they took, but they were sincere when they argued that the law should help delinquents and dependent children achieve better lives.”<sup>10</sup> Through their initiatives, Abrams contends that the government has become more responsive to the needs of children and continues to make the necessary changes toward giving abandoned, delinquent, and wayward children the tools they need to succeed.

Another argument, forwarded by historian David J. Rothman, concludes that the progressives’ zeal to reform the criminal justice system, in the name of social order, created a system that placed an unrestricted amount of authority in the hands of state authorities. The consequence of this was disastrous, because it eliminated any possibility of finding a suitable alternative to the contemporary failing criminal justice system. Reformers initiatives, he contends, actually played into the hands of administrators and employees of the system.

The policies progressives perpetuated became a suitable instrument of self-serving politicians and their political appointees. For example, Rothman argues in his 1980 book, *Conscience and Convenience*, that the innovations that progressives brought to the corrections system during the early twentieth-century are now viewed as failures. Yet, administrators, then, did not view them in that way. Because those innovations satisfied them in countless ways, from helping to clear crowded court calendars, to maximizing their control over inmates. Indeed, the progressives were not

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<sup>10</sup> Douglas E. Abrams in his 2003 book, *A Very Special Place in Life: The History of Juvenile Justice in Missouri*, (Jefferson City: Missouri Juvenile Justice Association, 2003).

at all alarmed by the amount of expanded powers the state was given, and the freedom of action public officials gained to decide what should be done to those who were brought under the states care.<sup>11</sup> In the *Discovery of the Asylum* (1971), Rothman also asserts that “[b]y incarcerating the deviant and dependent, and defending the steps with hyperbolic rhetoric, they discouraged – really eliminated – the search for other solutions that might have been less susceptible to abuse.”<sup>12</sup>

Driven by agrarian ideals, progressives believed that there would be no conflict or clash of interest between the incarcerated and those who would serve as, what Rothman describes as, the “surrogate parents.” The state-as-parent was, in fact, fundamental to progressive-era thought on institutional care. Yet as Rothman points out, it was “perhaps the most dubious” belief reformers held.<sup>13</sup> In reality, the institutions that purported to replace the prisons soon became just as bad, if not worst. For one thing, people who conformed to the norms of the day operated these institutions. No wonder, then, African Americans were typically treated as less than human within these early institutions.

Other historians, such as Gary Kramer and Linda Gibbens, who are influenced by Rothman’s argument, also argue in their 1983 article, “The Missouri Home for Negro Girls in the 1930s,” that the unreserved conviction that social progressives had in the “...state-as-parent created an early twentieth-century juvenile justice system which gave judges and institutional superintendents almost total power over “delinquents”

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<sup>11</sup> David J. Rothman, *Conscience and Convenience: The Asylum and Its Alternatives in Progressive America* Revised Edition (New York: Aldine de Gruyter, 1980), 7.

<sup>12</sup> *Ibid.*, *The Discovery of the Asylum: Social Order and Disorder in the New Republic* (Boston: Little Brown and Co., 1971), 295.

<sup>13</sup> Rothman, *Conscience and Convenience*, 10.

without giving them the economic, philosophical or political wherewithal to accomplish their avowed goals.”<sup>14</sup>

This study examines the treatment of African American delinquent girls at the State Industrial Home for Negro Girls at Tipton, Missouri, from 1916 to 1960. The research for this study was conducted from governmental documents and newspapers from different archival and manuscript collections. By drawing on historical facts gathered from these materials, this study on one hand highlights more than a century of progress from the “humanitarian” efforts of the reformers who established the nation’s many juvenile courts and training schools. On the other hand, the study furthers the revisionists’ argument by discussing the historical failures of the nation’s juvenile justice system. Here in Missouri, for instance, the fact that the Tipton facility cared for African Americans females placed these girls in a situation where the dual forces of racism and sexism determined the kinds of training programs that would become available to them and how they were eventually treated within the institution. This study found that, when compared with their white peers, a culture of indifference to the needs of African Americans throughout much of early Missouri history, affected the way African American girls were treated within the state’s penal system during the first half of twentieth-century. As part of a system associated with a long tradition of penal abuse and institutional failures, Missouri’s training schools failed to rehabilitate all of the state’s juvenile delinquencies for much of the twentieth century.

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<sup>14</sup> Gary R. Kremer and Linda Rea Gibbens, “The Missouri Home for Negro Girls in the 1930s,” (*American Studies*, Fall, 1983 Vol. 24, No. 2, 77-93), 78. Kremer and Gibbens relied on Rothman’s book, *Conscience and Convenience*, for the philosophical framework of their article.

Chapter One looks at the ways in which juvenile delinquents and women were treated in early nineteenth and twentieth-century Missouri prisons and jails. This chapter serves the purpose of demonstrating how the reformers produced a number of desperately needed changes in the area of penology. By addressing prison conditions as a moral issue, reformers brought the pervasive conditions under which women and children were imprisoned in America's jails and penitentiaries to the forefront of American consciousness. However, reformers faltered in two ways: first they entrusted public officials with surrogate parentage of society's most vulnerable citizens. Second, reformers failed to rid Missouri of its inhumane practice of torture and other kinds of physical abuse in its penal institutions. This would later trickle down from the penitentiary and jails to the training schools for delinquent youths.

Chapter Two demonstrates how the issues of social and institutional racism, as well as inadequate funding, political patronage, and a lack of qualified personnel affected efforts to rehabilitate and train inmates at the Tipton reformatory. The inherent failures of public officials to adequately appropriate the necessary financial resources and provide the moral and political leadership required to rehabilitate and train the hundreds of girls who passed through the institution from 1916 to the end of the 1950s is appalling.<sup>15</sup> The issues outlined in this chapter are a direct result of public officials' failure to view black girls at Tipton as persons worthy of the

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<sup>15</sup> The only studies of the State Industrial Training School for Negro Girls are: Gary R. Kremer and Linda Rea Gibbens, "The Missouri Home for Negro Girls in the 1930s," (*American Studies*, Fall, 1983 Vol. 24, No. 2, 77-93), Nancy Ellen Cole, "Missouri State Industrial Home for Negro Girls, Tipton, Missouri, 1909-1944" (Saint Louis: M.A. Thesis, Washington University, 1946); Jonan Haskell, "Institutional Treatment Of Delinquent Girls In Missouri: A Study of the Institutional Homes for Girls at Chillicothe and Tipton," (Columbia: M.A. Thesis, University of Missouri, 1943). The institution is also covered, though to lesser extent, by Douglas E. Abrams in his 2003 published book, *A Very Special Place in Life: The History of Juvenile Justice in Missouri*, (Jefferson City: Missouri Juvenile Justice Association, 2003).

same respect and basic dignity extended to white girls at the state Industrial Training School for Girls at Chillicothe, Missouri. The conscious indifference to the institutional failures at Tipton did not just reinforce traditional racial stereotypes, but they also created an environment for institutional terror to take place. As a training school, the institution failed to help the youths it was intended to help mainly because it sacrificed rehabilitation to maintain a prison-like atmosphere.

Although the reformatory at Tipton was established as a training school for delinquent and wayward girls, it functioned more as a prison.<sup>16</sup> One reason for this failure is that, until the mid-1940s, the same Board of Penal Commission governed Missouri's training schools and penitentiary under the jurisdiction of the Department of Penal Institutions. Thus, in Chapter Three, this study argues that corporal punishment took precedent over education and industrial training at this "so-called" school. This chapter, especially, highlights and scrutinizes public officials for the lack of moral fiber many displayed throughout the institution's period of operation. Their lack of political will allowed political appointees, like the director of penal institutions and the staff at Tipton – who acted more like prison guards than teachers – to continue

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<sup>16</sup> Missouri's three training schools, Boonville, Chillicothe and Tipton, according to Douglas Abrams, "did keep many children out of prison, but their own austere prison-like conditions frequently compromised treatment efforts." Abrams notes that, in his study of the boys reformatory at Boonville, Jack Reichenstein also observed that by 1911, Boonville had "slumped from its previously high standards to a juvenile prison similar to a penitentiary." While the Osborne Association, a private nation corrections organization, reported that until the 1945 Missouri constitution classified the reformatories and training schools as educational institutions, girls at Chillicothe were finger printed and their prints registered to with the federal and state bureaus of criminal investigations. Similarly, the boys at Boonville were not finger printed or photographed, but commitment to the school was considered an official criminal record under Missouri's habitual criminal act and their records were furnished to county prosecutors upon request. Surprisingly though, the girls at Tipton were not finger printed and their commitment there was not classified as a criminal offense. See Douglas E. Abrams, *A Very Special Place in Life: The History of Juvenile Justice in Missouri* (Jefferson City: Missouri Juvenile Justice Association, 2003), 17; Abrams cites Jack Reichenstein, "A History of the Missouri Training School for Boys, Boonville, 1917-1944, (Unpublished M.S. W thesis 1950, Washington University), 9; Osborne Association, *Handbook, American Institutions For Delinquent Juveniles* (1938), 206, 244, 270.

to abuse the children at Tipton in much the same fashion as they did for decades at the State Penitentiary.<sup>17</sup>

Chapter Three also presents the argument that state officials, based upon their political interest, failed to implement the kinds of policies that would ensure that the girls at Tipton were treated as humanely as possible. In the spring of 1943, when reports surfaced in the media about significant abuses and inhumane treatment of the girls at Tipton, officials refused to put in place the necessary changes to ensure that such incidents would not take place in the future. In essence, they choose to maintain an abusive and corrupt system as long as it kept them in power. Though some adjustments have been made in the way individual states (including Missouri) approached rehabilitation of delinquents in their care, questions continue to be raised about the effectiveness of these programs and the general conditions of youths in state-operated reform institutions.

Both elected officials and employees of correction institutions were the products of their own local communities. Therefore, this thesis contends that progressive reform policies actually gave local employees of the criminal justice system the legal tools with which to project onto minorities their traditional racial stereotypes in a legal setting. Nineteenth and twentieth century norms portrayed blacks as inferior to whites and, as either *animals* or *objects* – not humans; they could be strung up in trees or on poles. So what, then, motivated progressive reformers to idealize that black youths would not have been treated in a similar manner while in state-operated-institutions?

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<sup>17</sup> *St. Louis Star-Times*, “Girl Inmates Lashed, Locke In Dungeons At State Home,” May 10, 1943.

It is because of the Child Savers and prison reformers that the present correctional system is as humane as it is today, but yet not ideal. Though this study recognizes the humanitarian component of the Child-Saving and Prison Reform movements, and notes their profound influence on the way penology and corrections have progressed for the last century, it also argues that the modern corrections system is by no means effective or perfect. Its policies toward minority youths are not non-discriminatory. Minorities (especially African Americans) are treated unjustly in today's criminal justice system.

On the one hand, the correctional system as we know it today is a total failure. Yet, it is hard to comprehend what corrections would be without the efforts of the Progressive era reformers who injected morality into the system. The nineteenth century corrections system did not have a separate approach for dealing with males and females prisoners; they were both housed both within the same prison facilities. Similarly, hardened adult criminals, first time petty offenders, and delinquent children were prosecuted under the same laws and imprisoned in the same facilities.<sup>18</sup>

Because of the efforts Progressive-era reformers, the conditions of prisoners (especially youth offenders and females) have entered into the public's consciousness and have benefited greatly for that reason. Similar to Douglas Abrams', this thesis argues that whether reformers were driven by their humanitarian impulse or not, they were right to push for the creation of the juvenile court system, and the various reforms within the area of child welfare, delinquency, and prison reform. That does

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<sup>18</sup> Douglas E. Abrams, *A Very Special Place in Life: The History of Juvenile Justice in Missouri*, (Jefferson City: Missouri Juvenile Justice Association, 2003); Mark S. Schreiber and Laura Burkhardt Moeller (Missouri Department of Corrections), *Somewhere In Time: 170 Years History Of Missouri Corrections*, (Marceline, Missouri: Walsworth Publishing Company, 2004).

not mean that the reformers were, indeed, right in everything that they did or achieved. The system today is not perfect – far from it. The cultural biases of social reformers, public officials, and employees of the corrections system are all equally responsible for these failures.

## Chapter I

### A History of Neglect and Penal Abuse: Missouri's Female Prisoners and Their Juvenile Companions, 1836-1887

The conditions of prisons in the United States today are worlds apart from their early nineteenth century predecessors. Though prisons are sometimes viewed with much skepticism and repulsiveness, inmates are generally treated more humanely in modern prisons than they were in the past. This is especially true for women and children. Although the institutions that children are imprisoned in today are not considered as prisons, juvenile detention centers, community homes, and training schools are indeed prisons, for they do serve the purpose of depriving youths of their individual freedoms and punishing them as adult offenders for breaking the law. The conditions of their incarceration today are much improved from what they were a century ago. Nevertheless, there is room for continued improvement and innovation in the rehabilitation of juvenile youths.<sup>19</sup> The impact of nineteenth century penal policies towards Missouri's females and youth offenders produced a lasting effect on twentieth century reform and rehabilitation practices in the state. Also, the neglect of the needs of children and the abuse of females in Missouri's correctional institutions did not end with the child saving or progressive reforms in penology.

During the 1840 trial of William P. Darnes of St. Louis, prosecutor Peter H. Engle reasoned that, "statutory laws... are made to prevent crimes and they punish offenders, because that is the best way of preventing them."<sup>20</sup> In his 1999 study of this

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<sup>19</sup> See Larry Cole, *Our Children's Keepers: Inside America's Kid Prisons* (New York: Grossman Publishers, 1972) and Michel Foucault, *Discipline and Punish: The Birth of the Prison*, (New York: Vintage Books, 1995).

case, Perry McCandless notes that, “If courts and juries did not enforce those laws, society would revert, as Eagle argued, to the ‘age of barbarism, when every man becomes the avenger of his own wrongs, his own judge of the measure of punishment.’”<sup>21</sup> Thus, punishment came to be thought of not only as express justification, but also as a means of social control and protecting the law from abuse by individuals. Prevention and separation from society, rather than revenge, became the principal purpose of punishment, with the degree of penalty adjusted to reflect the nature of the crime.

Between 1880 and 1920 a revolution in penology emerged with the Progressive-era reform movement. This movement initiated a number of sweeping reforms that set standards for the treatment of prisoners. In general, every inmate benefited from these reforms. Yet, there were few changes in the conditions experienced by incarcerated women and children for some time. Moreover, the creation of a corrections system that is truly humane has, in fact, remained virtually unfulfilled till this day.

Overcrowding, lack of funding, the continued practice of housing seasoned criminals, first time offenders, and delinquents together proved to be challenging for penologists throughout the entire nineteenth century.<sup>22</sup> All of these issues were outside the hands of social reformers. But they were issues that public officials were able to address but failed to correct them. Women and youth offenders suffered the consequences, not

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<sup>20</sup> Peter H. Engle made that argument as the prosecutor in the 1840 trial of William P. Darnes in St. Louis, Missouri. An extensive account of the Eagle’s argument can be found in Perry McCandless’ essay, “Punishment Under the Law or by the Cudgel: The Case of William P. Darnes, 1840,” published in the 93 issue of the *Missouri Historical Review*, January 1999.

<sup>21</sup> Perry McCandless, “Punishment Under the Law or by the Cudgel: The Case of William P. Darnes, 1840,” (*Missouri Historical Review* 93, January, 1999), 130.

<sup>22</sup> Estelle B. Freedman, *Their Sisters’ Keepers: Women’s Prison Reform in America, 1830-1930*, (Ann Arbor: University of Michigan Press, 1981), 138.

because of a lack of philanthropic initiative by social reformers, but a lack of political will by elected officials.

On the one hand, ensuing reforms reduced the number of capital crimes, restricted corporal punishments, and virtually abolished or replaced most of those harsh measures with state institutional custody and so-called rehabilitative treatment, and industrial training. On the other hand, however, these changes did not stop the frequent mistreatment and abuse of individuals while under state guardianship. It was not until the end of the late nineteenth-century that socially progressive members of society raised significant calls for improved criminal procedures and less abuse of offenders in state prisons.

In early Missouri, punishment for a crime was in some cases extremely cruel, and, by modern standards, out of proportion to the offense committed. Capital punishment was prevalent. But as Missouri developed its statute laws, changes were made to that traditional practice. Thus, the various forms of punishment that had become custom, largely from old beliefs in vengeance, were put aside. With the growing complexity of society, brought on by increased industrialization and the centralization of governments, the right to punish was taken from the offended and vested in the state. State correctional institutions, however, were just as brutal in their treatment of offenders. In fact, neither the nature of the offense, nor a person's age or sex made any significant difference in the way they were treated by the state.

Throughout the entire nineteenth century, and for much of the twentieth-century, Missouri's correction system developed a reputation for its inhumane methods of treatment and disregard for inmates' civil rights. This is especially true of

the penitentiary in Jefferson City, which first opened its doors in 1836. The “largest and arguable most inhumane” of its kind in nineteenth- and early twentieth-century America, the Missouri state penitentiary has long been considered what one progressive reformer described as “the worst plague spot in the state.”<sup>23</sup> This institution, mainly because of its size and long history overshadowed the much smaller correctional institution throughout the state. Missouri’s training schools, for example, suffered from a lack of funding and personnel because of the high level of priority status the penitentiary received from state officials. The penitentiary was a bastion of political influence for many decades. Unlike the training schools, the penitentiary provided thousand of jobs that were at the fingertips of legislators, governors, and other elected and non-elected public figures to encourage political favors. The training schools inherited this culture of corruption and the tendency toward inhumane methods of correction from the penitentiary era.

The penitentiary was built during the “Mass Prison Era” from 1825-1875; it was modeled on the Auburn System. That system required inmates to maintain complete silence unless verbal communication was absolutely necessary for a prisoner to complete an assigned task. In essence, the Auburn System was more concerned with remolding an inmate’s behavior through prison discipline than their rehabilitation. Moreover, discipline was often brutally administered with the lash or a whip. These methods of punishment differed significantly from the system it replaced. Quakers developed what is known as the Pennsylvania System in colonial Philadelphia. They

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<sup>23</sup> Bonne Stepenoff, “Mother and Teachers as Missouri State Penitentiary Inmates: Goldman and O’Hare, 1917-1920,” *Missouri Historical Review* 85.4, July, 1991, 402-421), 403; Stepenoff cited Charles A. Ellwood, “Missouri Prison Problem,” *Journal of the American Institute of Criminal Law and Criminology* 7 (January, 1918), 649.

believed that a prisoner should be left in total silence, day after day, except when the Bible was read to them. The belief was that when prisoners were left in isolation they would reflect on their misdeeds, repent for their crimes, and even find God. This was also a major advance to the practice of public corporal punishment that it replaced. But complete isolation and absolute silence drove many prisoners into insanity.<sup>24</sup>

Soon after its opening in 1836, state officials quickly realized that maintaining a penitentiary with over two thousand prisoners was a costly endeavor. As a result, in 1839, the state legislature abolished the post of warden and placed the welfare of the prisoners and the penitentiary into the hands of private businessmen. Consequently, the exploitation of the labor of Missouri's imprisoned population, initiated by elected officials, became a revenue-generating scheme. Greedy businessmen like William Burch and John C. Gordon, did not hesitate to jump on the opportunity to cash in the states money-making idea. They exploited every bit of the prisoners' labor for profit. In turn, the state received some revenue from the arrangement.<sup>25</sup>

Under the terms of the "lease system," maintaining discipline, clothing, and feeding the prisoners were the responsibilities of profit seeking entrepreneurs. Not penologists or people who were concerned with rehabilitation. It is not surprising, then, those "ruthless businessmen...milked the convict labor for all it was worth while

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<sup>24</sup> Estelle B. Freedman, *Their Sisters' Keepers*, page 8-9 and Mark S. Schreiber and Laura Burkhardt Moeller, page 1-4.

<sup>25</sup> Gary R. Kremer and Thomas E. Gage, "The Prison and The Town: Jefferson City and the Penitentiary in the Nineteenth Century," *Missouri Historical Review*, 74 (July, 1980), 414-432; Gary Kremer, "Politics, Punishment and Profit: Convict Labor in the Missouri State Penitentiary, 1875-1900," *General History*, (Summer, 1992), 28-41. Mark S. Schreiber and Laura Burkhardt Moeller (Missouri Department of Corrections), *Somewhere In Time: 170 Years History Of Missouri Corrections*, (Marceline, Missouri: Walsworth Publishing Company, 2004).

skimping on food, clothing and other necessities.”<sup>26</sup> Under their control, prisoners worked seven days a week and received from ten to one hundred lashes on their backs for even the simplest infraction of rules.

Missouri’s penitentiary was a product of its time; discipline was harsh. Missouri set brutal standards with the use of the rings, cat-o’-nine-tails, water cure, and total isolation in the hole.<sup>27</sup> Although the penitentiary was built as a place to house male individuals who committed serious crimes, in some instances women and children were also incarcerated at the Missouri state penitentiary. They did their time along with professional adult male criminals. This practice was, indeed, common throughout the entire United States. But in Missouri state penitentiary, the experiences of women were even more difficult than those of their male peers. Typically, domestic labor represented the employment of most women during this period, whether criminal or not. Therefore, it was the practice of the time to use women as domestic labors within the prison system, either as cooks or to perform other domestic tasks that were considered appropriate for females.

In her book, *Gendered Justice in the American West* (1997), Anne M. Butler argues that by instituting a program of household chores where domestic labor, along with sexual coercion, dominated work assignments for women confined in western prisons, state like Missouri caste female inmates into the only work role seem appropriate – that of domestic workers.<sup>28</sup> In a discussion of the women prisoners in

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<sup>26</sup> Mark S. Schreiber and Laura Burkhardt Moeller, 6.

<sup>27</sup> Mark S. Schreiber and Laura Burkhardt Moeller, pages 1 and 3.

nineteenth-century Missouri, Gary Kremer indicated that, in 1876, approximately 87 percent of all labor performed by about forty women in Missouri prison fell under the heading of domestic work. For example, in addition to those sent out to as servants to private homes under the “lease system,” other women inside the prison cooked, mended and sewed prison clothing, and washed the men’s laundry. While women working for private citizens accumulated more than 9,000 days of domestic labor, while comparable chores inside totaled well over 3,000 days of work for the state.<sup>29</sup>

When the penitentiary opened in 1836, no separate quarters were provided to facilitate female prisoners. For much of nineteenth century, state officials failed to make any effort to provide separate housing facilities for female offenders. One reason was that their numbers were considerably lower than for those of the opposite sex. It was not until 1841 before the institution received its first female prisoner, Rebecca Hawkins of Jackson County, who was sentenced to a five years term but was quickly pardon and released.<sup>30</sup> The habit of pardoning female offenders continued; as in the case of next female sentenced to the penitentiary. In May of 1842, Ann Amelia Eddy of St. Louis County was sentenced for two years on the charge of grand larceny but was, however, also pardoned within a few days because of a lack of facilities for females.<sup>31</sup> One reason so many women were not committed to the state penitentiary during the early years of the institution’s history is because state officials realized the

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<sup>28</sup> Anne Butler, *Gendered Justice in the American West: Women Prisoners in Men’s Penitentiaries* (Urbana and Chicago: University of Illinois Press, 1997), 186.

<sup>29</sup> Gary R. Kremer, “Strangers to Domestic Virtues: Nineteenth-Century Women in the Missouri Prison,” *Missouri Historical Review* 84.3 (April, 1990), 303-4.

<sup>30</sup> *Ibid.*, 293-310, 294.

<sup>31</sup> *Ibid.*; Mark S. Schreiber and Laura Burkhardt Moeller, 8.

inadequacy of the penitentiary to accommodate them. Rather than committing the resources to have separate facility for women, state officials quickly pardoned and released them. Women were, indeed, quite capable of committing such heinous acts as men, and often they resulted in some women being sent to the penitentiary – though in fewer numbers than men. Whenever this occurred, male inmates and prison guards often sexually abused them.<sup>32</sup>

Unlucky, and far less fortunate than the other women mentioned above, Martha Casto of Barry County began a five-year sentence at the penitentiary for murder on August 10, 1843. Soon after her arrival the arrangement was made for her to work as a live-in domestic servant outside the walls of the institution. She worked in the homes of Jude James Brown and Captain Ezra Richmond; both men were prison lessees. While there, she became pregnant and was mistreated by the wife of one of the men. Subsequently, she ran away. She was soon after apprehended by prison officials, placed in solitary confinement, and later had to return to same homes of the lessees' again, where she had been physically abused. Only this time, however, she was allowed to return to her cell at night. That fall "she gave birth with assistance from one of her fellow convicts – a man – and both mother and baby girl remained imprisoned until a year and a half later when Casto was finally pardoned [on December 10, 1844]."<sup>33</sup>

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<sup>32</sup> Ibid.

<sup>33</sup> See Mark S. Schreiber and Laura Burkhardt Moeller, 8; Gary Kremer "*Strangers to Domestic Virtues*," 296. Kremer's account of the Casto's catastrophic ordeal notes that, "Not long after the baby's birth, fifty-five person, including former governor Lilburn Boggs, petitioned Governor John C. Edwards for Casto's release." Their petition was dated November 28, 1844 and she was pardoned on December 6, 1844.

The next woman to follow Casto was a woman who was jailed for her abolitionist activities; her fate was not much better. According to Gary Kremer she was chained in her cell where both inmates and prison guards raped her repeatedly. While Schreiber and Moeller point out that “[d]uring the day she worked in the wash house. While in her cell, the door was kept unlocked so that any prisoner or guard could “visit” her as he wished.”<sup>34</sup> She was also quickly pardoned and released by state officials. Missouri’s penitentiary, like all other penitentiaries in the United State, was not designed with what Estelle Freedman describes as the “fallen woman” in mind. Early nineteenth-century penitentiaries did not house many women. Indeed, only the most serious of crimes like murder landed women in nineteenth century penitentiaries. A vast majority of women were confined in local prisons and county jails for prostitution or other offenses that were considered immoral.<sup>35</sup>

Indeed, the “cult of true womanhood,” that dominated the Victorian era held women to a higher moral standard than men. Women were not expected to commit such crimes that would land them in penitentiaries. Yet, women commit other sorts of crimes that landed them in local prisons and jails. Prostitution was the most common of these crimes. According to Freedman, when “female crime emerged within a sexual ideology of female purity” the number of women in jails and prisons increased.<sup>36</sup> This is especially true of the Civil War years. A higher number of women were incarcerated for prostitution and acts of moral misconduct and public order offenses like crimes

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<sup>34</sup> Ibid.

<sup>35</sup> See John D’Emilio and Estelle B. Freedman, *Intimate Matters: A History of Sexuality in America* 2<sup>nd</sup> Ed. (Chicago and London: The University of Chicago Press, 1997).

<sup>36</sup> Freedman, *There Sisters’ Keepers*, 10-11.

against chastity or public decency. Estelle Freedman notes that these offenses were applied almost exclusively to women. Arrest, conviction, or imprisonment for offenses against chastity, decency, or public order, according to Freedman, “carried a unique penalty for the nineteenth-century female criminal – the label of fallen woman.”<sup>37</sup> According to Freedman, then, women who found themselves in nineteenth-century prisons, “experienced a greater stigma than did contemporary male criminals or than had women criminals in the past.”<sup>38</sup>

While white women more commonly practiced their trade within the privacy of hotels and apartments, black women were mainly forced to occupy the streets, as a result, black prostitutes were much more likely to be arrested and put in jail than white women were. Racial discrimination led to higher unemployment in the black community, which forced many black women to turn to prostitution as a means of employment. Unlike white women who were shielded by the color of their skin and could remain hidden from public scrutiny, blacks were exposed to the public view on the streets. As a result, black women were more commonly identified with prostitution than whites. At times, black girls were arrested for simply being in the company of white men. In 1914 Chicago, for example, sixteen percent of prostitutes who appeared in courts were black. By 1929, that number had jumped to seventy percent. John D’Emilio and Estelle Freedman note that “Black women accounted for over half the

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<sup>37</sup> Ibid., 14.

<sup>38</sup> Ibid.

arrests for prostitutes in New York City in the 1930s; the arrest rate among blacks was over ten times that for whites.<sup>39</sup>

It appears evident that one of the reasons women were treated so bitterly in nineteenth century American prisons is that they were viewed as *fallen women* or total “social outcasts.” These women challenged the stereotypes of the Victorian period and abandoned their traditional roles as mother and wives. Consequently, they were mistreated and severely punished for their actions. This has led Bonne Stepenoff to conclude that these women’s “...status made them absolute social out casts, beyond the hope of redemption.”<sup>40</sup> Indeed, Gary Kremer also supports this argument in his own examination of the treatment of women in Missouri’s jails and prisons during the nineteenth century. He found that:

Throughout the nineteenth century, women in the Missouri prison received poorer care than their male counterparts. Ironically, in an age, which exalted the “cult of true womanhood” and the fragility of Victorian femininity, conditions for Missouri’s male felons proved far more adequate than those housing the “weaker” and “more pious” sex. The females to prison in the nineteenth century, of course, were seen as fallen women, strangers to domestic virtue, and deviants from the norm. Because of their small numbers no major effort seemed necessary for their care. A tragic legacy, this attitude of little concern for the welfare of female felons continued to dominate the thinking of penologist well into the twentieth century.<sup>41</sup>

The penitentiary system of the nineteenth century was not established with the purpose of housing women or rehabilitating either sex. Before the prison reform movement of the late nineteenth to early twentieth-century, women’s unique biological differences and children’s youthful penchant to mimic adult offenders’

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<sup>39</sup> John D’ Emilio and Estelle B. Freedman, *Intimate Matters*, 296.

<sup>40</sup> Bonne Stepenoff, 408.

<sup>41</sup> Kremer, “Strangers to Domestic Virtues,” 310.

criminal habits did not receive any special consideration from nineteenth century penologists or public officials. This made them extremely vulnerable to all sorts of physical abuse; women were often the victims of sexual assaults behind bars while children were exploited for their labor. To correct the problem of overcrowding and the exploitation of women and children in state prisons middle-class women argued that incarcerated women and children should be housed separately from men.

To improve the treatment of female prisoners, one of their biggest accomplishments was the establishment of “separate women’s prisons,” which Estelle Freedman concludes, benefited prisoners by changing “attitudes toward fallen women and to provide more humane penal environments.”<sup>42</sup> However the issue of overcrowding was not eliminated by “sexually segregated prisons;” the courts often used them as “dumping grounds” for women. This resulting in few women gaining any benefit from the gender segregated prison system established to improve their conditions in prisons.<sup>43</sup>

The condition of women and children in prisons gained enormous attention from women reformer on the outside. According to Freedman, a woman’s imprisonment symbolizes the constraints placed on all women by authoritative institutions. Nineteenth-century feminist and social reformers proclaimed a sisterhood with the imprisoned woman because when she is “under the control of male keepers, she represents an extreme case of sexual powerlessness.”<sup>44</sup> But at the same time,

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<sup>42</sup> Estelle B. Freedman, *Their Sisters’ Keepers*, 1.

<sup>43</sup> *Ibid.*, 153.

<sup>44</sup> *Ibid.*, 151.

Freedman also notes that, “the differential treatment that originally justified the establishment of women’s prison perpetuated sexual inequalities;”<sup>45</sup> and “narrowed the opportunities for women prisoners by channeling all inmates into sexually stereotyped programs for character development or job training.”<sup>46</sup> For instance, the “habits of industry” that were taught to the women in separate prisons and young girls at reformatories and training schools served a dual purpose: they helped maintain the racial inequalities that were, by and large, present in the wide society and reinforced the sexual inequality of the two sexes.

Therefore, sexually segregated reformatories, according to Freedman, safeguards women’s traditional places within the family as the primary care givers and not the primary breadwinners. In essence, these institutions sought to teach girls how to serve and completely rely on their husbands. Like Freedman’s study, this thesis contends that public officials believed that the purpose of sexually segregated reformatories was to teach women and girls domestic skills and vocational training which would reinforce their sexual dependency on men. Indeed, in the case of the training school at Tipton, the curriculum there reinforced the subordination of blacks by emphasizing domestic labor as the only sensible career path for African American women. The Tipton Training School offered practical training in vocational industries such as basic nursing, and domestic science that included “laundrying, cleaning, cooking, sewing,

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<sup>45</sup> Ibid.

<sup>46</sup> Ibid., 154

and other household branches, gardening, dairying, poultry raising, and care of lawn, flowers, and shrubbery.”<sup>47</sup>

### A Noble Cause: Saving Delinquents

In the 1890s, women in Chicago, building on their experience organizing Hull House with Jane Adams and Ellen Gates Starr, united to campaign for the establishment of a Juvenile Court. They were furious to learn that young offenders were regularly looked up in the same jails and tried with the same laws as adults. Armed with the new conviction that childhood and adolescence are distinct stages in individual development, the women insisted that the justice system should treat juvenile offenders in ways appropriate to their age. They argued that because children are vulnerable to the influences of their surroundings, their court and means of detention should simulate the virtues of a home. Thus, a distinct juvenile court and home of detention was needed to nurture youth offenders toward a responsible and respectable adulthood.<sup>48</sup>

Between 1880 and 1920, industrialized cities and the effects they had on children became an immediate concern to “Child Savers.” Reformers argued that in industrial centers, America’s children were exposed to criminal behaviors at an earlier age and were deprived of an “ideal childhood” because, unlike the children of the middle class and upper classes, they had to work to supplement their family’s income.<sup>49</sup> Justine

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<sup>47</sup> Douglas E. Abrams, *A Very Special Place in Life: The History of Juvenile Justice in Missouri* (Jefferson City, Missouri: The Missouri Juvenile Justice Association, 2003), 17.

<sup>48</sup> Robyn Muncy, *Creating a Female Dominion in American Reform 1890-1935* (New York and Oxford: Oxford University Press, 1991), 18-19; see chapter one on the Hull House.

Wise Polier, a prominent twentieth century juvenile court judge appointed by New York City Mayor Fiorello LaGuardia, noted that the Child Savers "...were among the first to support legislation to protect women and children in industry;"<sup>50</sup> they worked vigorously to urge both federal and state government to formulate policies that would benefit America's urban children. The leading "Child Savers" were middle and upper class women, including major historical figures like Jane Addams and Susan Elizabeth Blow, who in 1873 opened the nation's first public Kindergarten for poor city children in the Des Peres School at Carondelet, St. Louis.

In 1835, the Missouri General Assembly spared youth offenders the anguish of serving time at the state penitentiary. The Assembly passed a law that "permitted, but did not require, courts to confine convicted felons under sixteen for one year in a county jail rather than the penitentiary. By 1866 this had become mandatory; but reports of children confined at the penitentiary, however, continued. According to Douglas Abrams, "Without the affirmative state programs to aid the poor, many Missouri children not reached by private charity found themselves imprisoned in county jails with hardened adult criminals for little more than their parent's poverty." He notes that private charity inspired by the Child Savers took a keen interest in the protection of dependent and delinquent children, particularly in large cities like St.

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<sup>49</sup> James Marten, *Childhood and Child Welfare*, Marten contends that "[t]hese assumptions led reformers to construct fairly narrow paths through which all children were supposed to pass. They often ignored ethnic, religious, and economic differences in their efforts to ensure that all children shared the same opportunities and enjoyed the same advantages. But they did not ignore race. African Americans were encouraged to participate in progressive reforms, but they did so in segregated facilities and organizations." *Ibid.*, 4. He further argues that progressives "...were far more interested in the chaotic cities bursting with immigrants and social problems." In order to combat the evils of poverty and crime found in these cities, he notes that "...progressives placed confidence in scientific research – one must find out what is wrong before one can change it – and in the capacity of professionally trained experts to manage and reform social problems." *Ibid.*, 3-4.

<sup>50</sup> Part of quote in Abrams, 7.

Louis.<sup>51</sup> St. Louis private institutions, starting with the Mullanphy Orphan Asylum, which opened in 1827, with the support of the Catholic Church, took the lead in caring for the state's dependent and delinquent children. In 1851, the St. Louis Reform School was privately organized for dependent and delinquent girls under sixteen and boys under eighteen. Seven other private institutions also operated independently of any governmental aid. None of these private charitable institutions admitted free African Americans until 1885, when the St. Francis Orphanage opened its doors to black children. The St. Louis House of Refuge was the state's first public institution for children, was established in 1853. The house admitted both free African American and white delinquent and neglected, children but segregated the races.<sup>52</sup>

By the early 1870s, "Child Savers" had some serious problem with the nation's House of Refuges; they found little difference between them and the prisons they were intended to replace. Here in Missouri, for example, in 1872 the Mayor of St. Louis noted that the institution had become "principally a prison-house for the juvenile offenders, where compulsory educational discipline assumes the form of punishment." Harsh discipline, overcrowding and the buildings' inadequacy encouraged many children to escapes from the institution's grounds. The institution was so overwhelmed with the frequency of these incidents that a prison-like disciplinary atmosphere had to be maintained at all times. "Windows and doors had iron bars, children wore uniforms, rules prevented talking at mealtime and children's heads were shaved."<sup>53</sup>

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<sup>51</sup> Abrams, 11-12.

<sup>52</sup> See the Abrams' discussion of this topic in *A Very Special Place in Life*, 9-19.

<sup>53</sup> Report of the Municipal Commission on Delinquency, Dependent and Defective Children, 1911, 13; also see *Ibid.*, 14.

These conditions pushed many “Child Savers” towards a path of radical reform; they seek to have separate courts and reformatories to be established for delinquent youths.

Their numerous attempts failed to rally the General Assembly to take such actions. For example, in 1871 Governor B. Gratz Brown noted that because of a lack of public institutions outside of the cities, he called on the legislature to establish an industrial reformatory for the states delinquent children. Nevertheless, they ignored his plea. His successor, Silas Woodson also tried unsuccessfully to establish a state reformatory for children in 1874. Woodson asked, “Who will undertake to calculate the importance of eradicating vice from the hearts of the youthful offenders against the laws of the State, and implanting therein the seeds of virtue?” He further asked legislators, “Who can estimate the good that has been done when a poor, erring, friendless boy has been rescued from a life of infamy, ignorance and crime, and made happy, intelligent, honest, good citizen?” “Go to the erring boy with a panacea for his corruption – light to drive away the darkness from his mental and moral nature,” he urged. “Failed to do it, and allow him to come to the Penitentiary ...and you have sealed his fate for time and eternity.”<sup>54</sup> These and other calls for progressive reformatories continued to be ignored by public officials of the state until 1888 when the state’s first two training schools were established, a Reform School for Boys at Boonville and an Industrial Home for Girls at Chillicothe –which would eventually admit white girls only.

As was the case with nineteenth century *fallen women*, Missouri had developed an unofficial practice of incarcerating young boys and girls at the state penitentiary

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<sup>54</sup> Also quoted by Abrams, 15.

and county jails without any means of separating them from vicious criminals. Unlike the *fallen women*, though, “Child Savers” considered delinquent boys and girls as salvageable. In general, all young offenders were worth rescuing. Moreover, the practice of institutionalizing delinquent youths and criminals in the same facilities proved to be obviously problematic. With the exception of the state penitentiary or county jails, which at the time were considered the worst in the nation for adult criminals, there were no other state operated correctional institutional that could rehabilitate juvenile offenders.<sup>55</sup>

Although an 1887 St. Louis City ordinance called for all children under 15 year of age confined in the jail to be kept separate from adult inmates, this ordinance was vastly ignored. Once it became apparent that the ordinance would not be enforced, private charity assumed a leadership role on this matter. In 1894, for example, seven private child caring institutions agreed with the city to house boys under twelve and girls under fourteen who were charged with crimes, without any cost to the city. Their actions saved many children from being sent to the St. Louis House of Refuge or prison.

In 1880, over two thousand children were reported as inmates in America’s prisons. In 1899, for instance, 575 children were incarcerated in Cook County, Illinois, jail and 1,983 boys in the city jail. And in 1901, approximately 500 children between the ages of six and sixteen were imprisoned in Philadelphia county prison. In that same year, the St. Louis Charities Commission claimed that, in clear violation of the 1887 ordinance, 700 – 800 boys between nine and twenty years old were still confined

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<sup>55</sup> Nancy Ellen Cole, “Missouri State Industrial Home for Negro Girls, Tipton, Missouri, 1909-1944” (Saint Louis: MA Thesis Washington University, 1946), 12.

each year in the city jail without separation from adult prisoners. This number included both children awaiting trial as well as those already sentenced.<sup>56</sup>

The Child Savers' search for social order led to the creation of the first Juvenile Justice Court in Illinois, in 1899. Soon, other states also seized on the idea. In 1908, Missouri became the eighth state to create such courts. With the legal authority of the juvenile courts on their side, reformers were able to legally separate children they considered delinquents from their families and communities and placed them in government-operated reformatories – institutions that would hopefully curb their deviant behaviors and instill American values in these troubled youths. Delinquents who were imprisoned in adult prisons and jails also came under the jurisdiction of the new juvenile court system.

The Child Savers<sup>57</sup> argued that these children need to be placed in reform institutions or schools that would help to change their criminal ways; not state prisons and county jails. Their belief was that these youths' deviant behaviors could be curbed before they reached adulthood. But the reality is that states such as Missouri did not hesitate to apply the full force of the law when child offenders broke the laws of the state. Douglas Abrams notes, for example, that the laws of Missouri “exposed children, except the very youngest, to the full force of prosecution and punishment....”<sup>58</sup>

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<sup>56</sup> See Abrams, 19; 1901 Proceedings of the Missouri Conference of Charities and Corrections, 23.

<sup>57</sup> The Child-saving Movement is the subject of Anthony Platt's book, *The Child Savers: The invention of Delinquency* 2<sup>nd</sup> Ed, Enlarged (Chicago and London: The University of Chicago Press, 1977). Platt's main argument is that the child savers helped to create a system that subjected more and more juveniles to arbitrary and degrading punishments. He places the Child-saving movement within the context of the political economy of the progressive era, which he argues, helps to expose the failures of the movement.

<sup>58</sup> Abrams, 9 and 10.

Child Savers were appalled by such practices, which they believed corrupted incarcerated children. They thought children learned criminal ways from convicted adults while they served time with them in state penitentiaries and county jails. In these institutions, punishment took precedent over rehabilitation. In fact, the main concern of the state was the physical incarceration and punishment of convicts.

The Child Savers, dominated by elite civic and feminist groups,<sup>59</sup> fought a long and hard battle to have separate facilities and a court specifically geared toward children. Reformers were successful in having reformatories for delinquent youth established beginning in late 1870s. But they won their biggest battle when, on April 14, 1889, the state of Illinois passed the Juvenile Court Act. The act established the country's first juvenile court. The court was charged with the responsibility to "regulate the treatment and control of dependent, neglected and delinquent children."<sup>60</sup> In March of 1903, Missouri became the eight state to establish a juvenile court. By the 1925 there were a total of forty-six states with courts specifically geared toward children.<sup>61</sup>

Reformers also championed the ideal of agrarian living as remedy urban delinquent children needed for their personal redemption and growth. In an era when

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<sup>59</sup> According to Platt, the Child Savers were part of a much larger movement to readjust institutions to conform to the requirements of the emerging system of corporate capitalist. In fact, he notes that the Progressive movement was led by the most class-conscious sectors of monopoly capital. The movement, he argues, was spear headed by people who came from the business elite and as a result, received enormous amount of support from some of the nation's leading business families; who recognized the necessity for far reaching economic, political and social reform. These reforms were necessary to curtail the rising tide of militancy by the working-class who often instigated strikes. Thus, the child-saving movement was not a humanitarian movement as most of us think of it today; nor was it in any way an enterprise that was on the behalf of the working-class against the established capitalist order. Platt, xviii-xxv.

<sup>60</sup> A section of a quote from Anthony Platt, *The Child Savers: The invention of Delinquency* 2<sup>nd</sup> Ed , Enlarged ( Chicago and London: The University of Chicago Press, 1977), 135.

<sup>61</sup> Abrams, 1 and 44.

lynching was widespread, especially across rural America, this ideal of the perfect environment for raising children represented a gulf between ideology and reality. Moreover, the reality for black families was unique as compared to whites’.

Missouri was a dangerous place for blacks to live during the Reconstruction period. Blacks, however, still felt safer in the urban areas of the state. In the cities they lived in larger numbers, as opposed to rural communities where they lived in even fewer numbers (and faced an ongoing threat of being lynched). Black families also lacked economic and community support in rural agricultural towns. In urban areas they had more earning potential and a greater sense of security from racial violence. Yet Missouri’s progressive reformers singled out the children of poor immigrant and black families in the urban centers as the ones who needed to experience the Jeffersonian ideal of rural communities. For reformers, children were meant to enjoy the “beauties of a better existence”<sup>62</sup> in isolated rural agricultural communities. There they could experience the *ideal childhood*.

Anthony Platt asserts that the “philanthropic” organizations designed to “save” these children were not necessarily looking out for the best interest of the child, but were, in fact, primarily concerned with the social control of the lower classes. Platt notes that these Child Savers viewed children living in the city as ones without hope: “Children living in the city slums were described as “intellectual dwarves” and “physical and moral wrecks” whose characters were predominantly shaped by their physical surroundings.”<sup>63</sup>

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<sup>62</sup> Platt, 40.

<sup>63</sup> Ibid.

The progressives who attempted to “rescue” the children of America’s urban poor regarded the city as a contradiction to their own refined surroundings. Moreover, from their perspective, the rural farm offered the best environment for children to be raised. Platt states that at the end of the nineteenth century, the “city was suddenly found to be a place of scarcity, disease, neglect, ignorance and dangerous influences.”<sup>64</sup> It is evident that the guardians of Victorian values and morals viewed the city slums as an impediment to America’s progress. By and large, humanity’s progressive was hampered by the very presences of cities slums.

Indeed, as Platt notes, from the viewpoint of middle class individuals, “humanity reached the lowest level of degradation and misery,” in the urban center. For instance, at a National Prison Association conference in 1898, Beverly Warner explained that by “taking these children into places where they see ladies well dressed, and with their hands and faces clean,” this would solve all of society’s ills.<sup>65</sup>

Without considering the consequences, reformers believed that children needed to be brought as far from the influences of the industrial city as possible. Rural communities epitomized reformers’ ideals of what the traditional – the perfect – American family setting ought to be. There, children were allowed to be children, not factory workers. The criminal ways of the cities would be replaced with instructions on how to be, in the case of girls, good domestic servants, wives, and mothers; and in the case of boys, being respectful husbands and self-sufficient agricultural producers. Children would also acquire industrial training that would prepare them to take on the

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<sup>64</sup> Ibid., 41.

<sup>65</sup> Ibid.

realities of an increasing industrialized America. To accomplish their goals, reformers used juvenile courts, reformatories, and industrial training schools as instruments of social change.

These reform institutions, however, would have a greater impact on black youths than on any other adolescent group. For example, while youths of minority backgrounds make up one-third of the American adolescent population, they represent two-thirds of all adolescents in juvenile facilities today. The public has been, by and large, silent on this pressing issue mainly because it is ignorant of the historic and pervasive difficulties black youths have endured in hundreds of juvenile institutions across America.<sup>66</sup> Because African Americans endured all sorts of racial oppression, including physical violence – in the form of lynching – the institutional violence that has brought misery to black youths within the corrections system has been viewed as insignificant. But, this sort of neglect and unconcern for the impact the juvenile justice system and the juvenile courts has had on black youths go back to the early 1900s.

With the creation of the juvenile court system, progressive reformers believed that delinquent and dependent children would be saved from a life of criminal activities by placing them in reform institutions that would train them to become good productive citizens. Not all children, of course, benefited equally from these institutional programs. Some children were educated and successfully rehabilitated and reintroduced back into their environment as skilled and productive citizens. But the issue of race prevented African Americans from obtaining the same benefits as whites.

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<sup>66</sup> *Building Blocks for Youth*, “No Turning Back: Promising Approaches to Reduce Racial and Ethnic Disparities Affecting Youth of Color in the Justice System,” <[www.buildingblacksforyouth.org/noturningback.htm](http://www.buildingblacksforyouth.org/noturningback.htm) (13 November 2005).

In states like Missouri, where blacks were viewed as racially inferior to whites, social and institutional segregation severely handicapped efforts to provide them with the same level of industrial training and rehabilitative treatment as their so-called superior white contemporaries. Missouri's experience with the training schools and delinquent reform began in 1888. The States Industrial Home for Girls at Chillicothe and the State Industrial Training School for Boys at Boonville were the first of three opened in 1888. At Boonville, both black and whites boys were institutionalized there – although they were segregated. But only white girls were privileged enough to be admitted at the State Industrial Home for Girls at Chillicothe. In fact, the state not only refused to place black girls at Chillicothe – not even on a segregation basis – but it also refused to appropriate the funds for blacks to have their own separate facility.

What this chapter demonstrates is that during the nineteenth century, the practice of incarcerating child offenders and hardened adult criminals under the same laws, and at the prisons, was a common practice. In Missouri, incarceration for females was very difficult. Law makers made it even more difficult because they refused to create separate facilities for them. This practice, for the most part, ended with the establishment of the segregated prisons. For delinquents a juvenile court and training schools was also established. First and foremost, these institutions were the invention of the progressive Child Savers. They were established as alternatives to the state's penitentiary and county jails, asylums, and house of refuges. Child Savers thought these dilapidated institutions did more harm to children than good. Yet for much of the twentieth century, the institutions they invented have also failed America's children. Training schools have been associated with inhumane treatment and physical abuse

from their very inception. Their inadequacies caused many delinquents to resent the society they share with others and promote recidivism.

By 1899 the country had its first Juvenile Court. It took the “Child Savers” four decades to accomplish this goal. This was not the end, however. It had only marked the beginning of a century old relationship destined to result in failure. To the disappointment of Child Savers, the law that established the nations first Juvenile Court called for clerks and probation officers but allocated no funds for their salaries. It took eight years before they were able to convince the county government to pay these officials from public funds. Juvenile homes and training schools did not fair any better with public officials, either. These institutions became the political plaything of self-serving politicians who used them to serve their own political needs. The jobs they offer became especially attractive to politicians who used them for political favors. Yet whenever allocations are made for their operation, it is always a meager sum. This have always been a troubling issue for all industrial homes, training schools and other delinquent reformatories, but those specifically design for colored youths (blacks in particular), have felt the weight of these effects the most. These issues affects juvenile courts and delinquent reformatories in all states alike, but why they remained a feature of the juvenile justice system so long, even after it was recognized that such practices hurt more children than it helped? Though that is an important question, this thesis does not attempt to answer this question in a general sense. The next chapter attempts to demonstrate that when coupled with a tradition of racial discrimination and a history of penal abuse, these factors produce disastrous results for Missouri’s black delinquent girls.

## Chapter II

### *Along the Cultural Line: Race, Gender and Delinquency in Missouri, 1888-1956*

In 1887, the efforts of progressive reformers in Missouri, led to the establishment of two reformatories for delinquent and wayward children. The Missouri Assembly appropriated funds for the erection of the State Reformatory (later the State Industrial Training School) for Boys at Boonville and the State Industrial Home (Training School) for Girls at Chillicothe. In 1889, both received their first inmates. Although black boys were admitted at the Booneville reformatory and segregated from whites, Chillicothe refused to accept black girls. Consequently, a separate institution had to be established for them. However, it was not until 1916 before the State Industrial Home for Negro Girls at Tipton was opened. This chapter focuses on the effects that the racial attitudes of whites had on the reformatory at Tipton. The chapter specifically examines the school's ability to effectively rehabilitate its inmates. A comparison is made between the Tipton and Chillicothe institutions to demonstrate, whenever possible, how race mattered in the efforts to rehabilitate Missouri's delinquent girls.

Most of the boys committed at Boonville were sent there because they had committed crimes against individuals or personal property. The General Assembly of Missouri, envisioned that this institution would be "not simply a place of correction, but a reform school where the young offender of the law, separated from vicious associates, may receive careful physical, intellectual and moral training, be reformed and restored

to the community with purposes and character fitting for a good citizen, an honorable and honest man.”<sup>67</sup>

On the other hand, the girls at Chillicothe and Tipton were generally committed to those institutions for their sexual indiscretions or for being incorrigible. A mission statement by the Chillicothe girls’ school claimed that “through systematic teaching of all domestic industries [and] a thorough education in every branch of household work,” the school offered “girls, removed from the vicious associates and evil influences, may receive careful physical, intellectual, and moral training, participate in enjoyment of a true home life, be reformed, and become good domestic women prudent in speech and conduct, cleanly [sic], industrious and capable housekeepers.”<sup>68</sup> In 1889, Governor Lon V. Stephens noted that the girls confined at the Chillicothe “have nothing against their character saved for being “ poor, and forlorn, beset by temptations, with no competent protector.” He further reported that Missouri’s counties were “waking up to the necessity of saving their girls, believing that it is better to commit with downward tendencies, than to wait until she is altogether bad before reformation begins.”<sup>69</sup>

At the root of all the failures at the Tipton School, as well as the other training schools, is the failure at the state level to act responsibly with the public purse, and to implement the kinds of effective programs to ensure success at these institutions.

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<sup>67</sup> Act of March 30, 1887, 1887 Missouri Laws 278, 279; also see Douglas E. Abrams, *A Very Special Place in Life: The History of Juvenile Justice in Missouri* (Jefferson City, Missouri: The Missouri Juvenile Justice Association, 2003), 16.

<sup>68</sup> Jonan Haskell, “Institutional Treatment of Delinquent Girls in Missouri: A Study of the Institutional Homes for Girls at Chillicothe and Tipton,” (Columbia: MA Thesis, University of Missouri, 1943), 76; Act of March 30, 1887, 1887 Missouri Laws 274 and 276; Abrams, 16-17.

<sup>69</sup> First Biennial Message, January 5, 1899, Messages and Proclamations of the Governor of the State of Missouri, 1926, 332; Also see Abrams, 17.

According to Douglas Abrams, the opening of Missouri's training schools "began nine decades of generally unhappy experiences that ended only when the state finally closed the last two, Boonville and Chillicothe..."<sup>70</sup> in 1983. Overall, the American experiment with training schools represents a long history of incompetence and failures, "with a zero reputation for innovation or behavioral impact.... The sole virtue of the reform school was the fact that it was not a prison."<sup>71</sup>

### **Separate and Unequal: The Chillicothe and Tipton Facilities**

The State Industrial Home for Girls at Chillicothe, Missouri, was established by an act of the Thirty-fourth General Assembly, approved March 30, 1887, with an appropriation of \$50,000 for building an institution for the purpose of caring for delinquent white girls.<sup>72</sup> The institution was erected in a residential section of Chillicothe on sixty-nine and a quarter acres of land near the city center. In addition, 280 acres of land was rented in order to produce enough milk and fruits and vegetables for the girls. The soil was reported to be of rich quality that would ensure successful crops. The City of Chillicothe graciously welcomed this institution in its midst and donated \$5,000.00 toward its construction.

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<sup>70</sup> Douglas E. Abrams, *A Very Special Place in Life*, 17.

<sup>71</sup> Quote taken from Franklin E. Zimring, "The Common Thread: Diversion In the Jurisprudence of Juvenile Courts", in *Margaret K. Rosenheim et al., eds., A Century of Juvenile Justice*, 2002, 147. Also quoted by Abrams, 18.

<sup>72</sup> *Biennial Report of the Board of Managers of the State Industrial Home for Girls 1889-1916*, (see the first report dated 1887-1889).

Although the Missouri legislature intended to house both black and white girls at Chillicothe, the culture of racial segregation prevented any black delinquent girls from being committed. The officials at the institution vehemently refused to admit any black juvenile committed there by the courts because they thought it was socially inappropriate to mix the races. For example, in her report to the Board of Managers for the year 1900-1902, Superintendent L. U. DeBolt noted that, “In accordance with your instructions, I have refused to receive negroes [sic] at the present time as it is impossible to keep them separate from the white girls, and an intermingling of the races would inevitable result in demoralization of the whites and nullify, to a great extent the good we are doing.”<sup>73</sup>

This statement was representative of the general public’s sentiment toward blacks at the time. Most white Missourians accepted the prevailing racial attitudes toward blacks and displayed opposition or lack of sympathy to any programs to assist them. In its 1900-1902 Biennial Report to the state assembly, the Board of Managers of the State Industrial Home for Girls echoed the same sentiment as superintendent did in DeBolt: The Board explained that:

Two negro girls have been convicted in the courts of the City of St. Louis and one from Callaway County during the fiscal year and sentenced to the Industrial Home. These the Board refused to receive, believing that acceptance would create a disturbance among the inmates and virtually put an end to the reformatory features of the institution, thus making it a prison instead of a reform school. And again the statutes do not permit the intermingling of the races in the schools of the State.<sup>74</sup>

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<sup>73</sup> *Seventh Biennial Report 1900-1902*, p. 7

<sup>74</sup> *Ibid.*, 17.

Once more, social progressives here in Missouri, according to Jack D. Muraskin, “demand[ed] that Negroes receive the same...services rendered whites.”<sup>75</sup> But there was no such facility in Missouri that would provide care and treatment for young black delinquent girls. The only other alternative was the state penitentiary or county jails. These institutions, of course, did not have the philosophical know-how or the interest to rehabilitate juvenile offenders.

With no other state entity equipped to care for African American girls, a twelve-year-old African American girl was sent to the Missouri State Penitentiary in 1908. Child Saving Missourians were repulsed by the thought of a child serving time amongst some of the Missouri’s most belligerent criminals and worked hard for release. She was eventually released when Mrs. J. Siloane Yates, the president of the Federated Negro Women’s Clubs of Missouri, who was also Dean of Women at Lincoln University, appealed to attorney general Herbert Hadley, who later became governor of Missouri.<sup>76</sup> Still, there was a significant need for an institution to oversee to the treatment and educational training of delinquent black girls.

Progressives made it clear at the time that children were the most affected by these transformations, and set out to save them. Kremer and Gibbens argue that, “the progressives possessed a self-confidence that bordered on arrogance: they knew what these vulnerable children of the cities needed better than anyone else, better than even the

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<sup>75</sup> Muraskin, 261.

<sup>76</sup> Nancy Ellen Cole, “Missouri State Industrial Home for Negro Girls, Tipton, Missouri, 1909-1944” (Saint Louis: MA Thesis Washington University, 1946), 11 and 12.

youngsters' parents.”<sup>77</sup> A large percentage of the girls that were eventually committed to the Industrial Training School for Negro Girls came from the urban areas of Jackson County and St. Louis County. A majority came from Kansas City and St. Louis where the impact of industrialization was most deplorable, especially for poor black families.<sup>78</sup> Moreover, with the reality of having a young twelve-year old girl serving out her punishment in a State Penitentiary, the people of Missouri finally came to the realization that an institution like the one for white girls at Chillicothe, Missouri, was desperately needed for black girls as well.

When Herbert Hadley became governor in 1909, he used his influence to push through legislation for the establishment of an institution for black delinquent girls. During the forty-fifth General Assembly, William Hicks, a State Representative from the Third District of Jackson County, introduced a House Bill No. 771. On June 14, 1909, a committee substitute for the bill was adopted, establishing the State Industrial Home for Negro Girls.<sup>79</sup> The bill passed both house of the legislature without much opposition; the House voted 162 to eight and the Senate by a vote of twenty one to eight. They approved the provisions relating to the institution's establishment and also appropriated \$20,000 to

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<sup>77</sup> Kremer and Gibbens also point out that, “[i]ndeed, Progressives had ultimate faith in the state to become a surrogate parent whose power to deal with errant but educable children should be unrestricted.” Gary R. Kremer and Linda Rea Gibbens, 77.

<sup>78</sup> See all the commitment papers from 1916-1941 to the State Industrial Home for Negro Girls, and the Record Books, from 1916-1945, (courtesy of Missouri State Archives, at Jefferson City Missouri); Biennium Reports of the institution. On the condition of blacks in Missouri's urban centers at the turn of twentieth-century, see Lorenzo J. Greene, Gary R. Kremer, and Anthony F. Holland, *Missouri's Black Heritage* (St. Louis: Forum Press, 1980).

<sup>79</sup> “Appendix to the House and Senate Journals of the 49th General Assembly: State of Missouri,” *First Biennial Report of the State Industrial Home for Negro Girls Tipton Missouri, For the Years 1917-1918*, 5. (Courtesy of the Missouri State Archives).

be used to buy the site, build the institution, and furnish it.<sup>80</sup> The Assembly provided in the bill that the Governor should appoint a five-member commission, with no less than two women. This commission was charged with the responsibility of finding a suitable site to locate the institution and to see to its construction.<sup>81</sup> The state found it very difficult to carry out this cause because rigid patterns of segregation meant that few communities would allow a facility for black girls to be built in their midst.<sup>82</sup> For example, plans were made to erect the facility on 28.8 acres of land northwest of Sedalia, Missouri, but because the local white citizenry objected to the idea, these plans had to be abandoned.<sup>83</sup>

On September 2, 1911, *The Republican*, a Wright County newspaper reprinted an article from the *Mansfield Press* entitled, “Don’t Like Niggers.” The article reflected the local white community’s sentiment regarding rumors of a reformatory for black

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<sup>80</sup> See the *House and Senate Journals* for the Forty-Fifth General Assembly of Missouri, 1909.

<sup>81</sup> *Laws of Missouri, 1909*, page 599.

<sup>82</sup> In a 1913 report to the Governor, the Commission reported that:  
Owing to the storm of protest which met the Commissioners whenever they endeavored to locate, we were forced to go from one end of the state to the other trying to find a friendly community where we would be allowed to locate. We finally purchased a site in Pettis County, after being assured the people were friendly, but were unable to take possession of the same. For this tract we paid \$3,500. We have turned the dead over to Governor Hadley for said tract.... After having canvassed thoroughly the different offers made the commission we finally decided to purchase the tract offered us one and a half miles from Tipton in Moniteau County, which contains 52 acres, the purchase price being \$4,500. The citizens of Tipton And Moniteau County have shown themselves friendly to the location of the Home at this place, and we are now ready for a building, for which we are asking that the Forty-Seventh General Assembly will grant us as liberal an appropriation as the state of the finances of our commonwealth will permit. See *Appendix to the House and Senate Journal for the Forty-Seventh General Assembly, 1913*, “Report of the Commission for the State Industrial Home for Negro Girls.”

<sup>83</sup> Jonan Haskell, “Institutional Treatment of Delinquent Girls In Missouri: A Study of the Institutional Homes for Girls at Chillicothe and Tipton,” (Columbia: MA Thesis, University of Missouri, 1943) 150. It is also worth noting that in 1887, the City of Chillicothe active campaigned to have the State Industrial Home for Girls (white) located there, the Negro Industrial Home was not so luck.

delinquent girls coming to their area.<sup>84</sup> The paper reported that the people held a mass meeting in Ava, in Douglas County, to consider the “proposition to locate a young nigger-wench reform school near the county line,” dividing Wright and Douglass counties. The “foundation for such an institution would never assume proportion except as a junk-pile of ash after work had once been commenced.” According to the newspaper, white residents made it clear that “such a nigger scheme will fall flat” or else they “will meet [it] with fiery opposition.”<sup>85</sup> Considering that public lynching of blacks was prevalent in 1911, such threats were not to be taken lightly. And sure enough, they were not. As predicted, the proposal did fall flat, and the institution was never located near that community.

It was so difficult to find a location for the reformatory that it delayed the institution’s opening until 1916, when it was finally erected on a 165 acre piece of land just north of the town of Tipton, a predominantly white community of about 1,200 people. Tipton is on Highway 50, about 37 miles west of the capitol city, and about 26 miles from Sedalia. The people of Tipton in Moniteau County, Missouri, were much more open to the institution being in their midst. For that reason, the State Industrial Home for Negro Girls was situated there. However, the Tipton community viewed the institution with deep suspicion. The institution did not receive such a polite welcome or a generous donation as the Chillicothe training school when it was established in Tipton, Missouri.

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<sup>84</sup> Gary R. Kremer, “African Americans in the Rural Missouri Ozarks,” paper presented at the Mid-American Conference in History, Springfield, Missouri, September 2005.

<sup>85</sup> *The Republican* [Wright County], “Don’t Like Niggers,” September 2, 1911.

The community vigorously protested a progressive proposal to have an all black staff at the school. According to an article published in *The Tipton Times* entitled “Open Monday May 15: All Negro Officers In Charge,” “[t]he officers, superintendent, matron, and housekeeper, all negroes, have been in charge of the building the past week getting their “bearings,” and their management of the Home will be watched with interest, as the white citizens of Tipton and Moniteau county were enormously opposed to the appointment of negro officers.” Ultimately, the article concluded that, “[t]ime will tell as to whether or not one negro can control another to the extent of effecting the reform desired.”<sup>86</sup>

Not only was the white community hostile to black officers, the site they approved at Tipton was recognized from the very beginning, as having incredibly poor soil that was not really ideal for such an institution. Especially when compared with the site of the white girls institution at Chillicothe, which was situated in a residential area of Chillicothe and had access to an additional 260 acres of productive agricultural land. The Missouri Prison Board, which was charged with the operation of the state’s training schools after 1917, declared that the “location of this institution was a mistake in so far as the land upon which it is located is concerned - being very poor land....Next year we have rented an additional piece of ground, which will enable them to raise more of the food used in the institution.”<sup>87</sup> Not only was the acreage insufficient, the location was problematic.

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<sup>86</sup> *The Tipton Times*, “Open Monday May 15: All Negro Officers In Charge,” May 12<sup>th</sup>, 1916.

<sup>87</sup> *Report of the Missouri State Prison Board, 1917-1918*, 11, (Presented to the, Fiftieth General Assembly).

The institution was located in a remote corner of Manitou County that had limited access to transportation and basic utilities. Jonan Haskell noted in her 1943 M.A. thesis that, “the institution’s remoteness seriously handicapped ... the speedy delivery of supplies because it is located on a country road which is only partially graveled and is almost impassible during wet weather.”<sup>88</sup> These facts, along with inadequate appropriations for the institution, would later create serious obstacles in the facility’s daily operation and its capacity to adequately treat, train, and educate those committed there from 1916 to 1956.<sup>89</sup> The evidence suggests that the state did little more than provide for the location of a site and the building of the institution. In order to even hold school for the girls, the institution was forced to salvage chairs and small tables from vacant rooms around the facility because there was no money allocated by the state to purchase furniture.

Furthermore, the *First Biennial Report of the State Industrial Home for Negro Girls*, for the year 1917-1918, reports that the school opened with only “...one teacher in charge and our course of study does not exceed the eighth grade,”<sup>90</sup> Up until the *Biennial Report of 1939-1940*, the school was still restricted to the level of an eighth grade grammar school, with significant emphasis on vocational training. This objective was stated explicitly in the *Biennial Report* for 1939-1940: “While the methods of training change with modern ideas of handling delinquency, the idea of complete domestic training still predominates, since after leaving here practically every girl marries and

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<sup>88</sup> Jonan Haskell, 162.

<sup>89</sup> After the 1954 Supreme Court ruling on the *Brown v. Board of Education* case, the girls were transferred to Chillicothe in 1956 and the facility converted to a women’s correction facility in 1960.

<sup>90</sup> *First Biennial Report of the State Industrial Home for Negro Girls Tipton Missouri, for the years 1917-1918*, 6.

establishes her own home, and many of them, through lack of other ability, must earn their livings as domestics.”<sup>91</sup> Domestic training, it seems, was the resource that would insure Missouri’s delinquent girls’ eventual survival in America’s industrial society.

The following quotes, taken from the *Twelfth Biennial Report* of the Board of Managers and Superintendent of the State Industrial Home for Girls in Chillicothe, Missouri, 1911-1912, convey the state’s prioritization of domestic and vocational training. In every way possible, Progressives attempted to individualize trade skills so that delinquents would be equipped to face the world after they were reintroduced back into society. For example, while advocating for more vocational instructions for delinquents at Chillicothe, reformers argued that “there are over fifteen million women in the United States from sixteen years of age up, who are wage-earners, and unfortunately the numbers are increasing year by year.” Therefore, the question was asked, “[d]oes it require any argument to convince the public that this institution should practically be a trades or vocational institution? Will it require years yet to make plain the obvious fact that poverty is more conducive to ignorance, discontent, and crime than any other one cause?” Reformers argued that in order to help solve social issues like crime and poverty, society must start with the affected children. Therefore, none of these social problems would be corrected “until the defective, the dependent and delinquent are cared for, educated and restored, so far as human agencies can care for, educate and restore.” Women reformers also argued that the “variety of vocations open to young women are fewer than to men, but there are still many branches of industry which could be installed here [Chillicothe] which would be

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<sup>91</sup> *Biennial Report, 1939-1940*. 273.

progressive and beneficial, namely: manual training...millinery, nursing and kindergartening, and with a gymnasium building would also come the complete instructions in all athletics which is so needful.”<sup>92</sup>

The first Biennial Report of the Industrial Home for Negro Girls gives us a sense of the managers’ intent and the purpose they had in mind for both the girls and institution:

The idea of the present board is to equip each girl with a thorough knowledge of household work and the duties of a housekeeper, so that they may readily find good homes because of their efficiency. It is the intention to teach them to cook, scrub, wash, iron, sew, mend, care of chickens, bees, garden, small fruits, in short, to be thoroughly qualified domestics or housekeepers, and it will be our aim to cultivate in them a love of country life, and to find homes for them in the country. Believing that acknowledge of the care of poultry may be a means of livelihood to many of our girls, they are being trained in the profitable care of chickens. The improvement in the department of unruly girls assigned to the care of poultry is noticeable. Having something that is alive and helpless committed to their care arouses good thoughts and impulses, and reclamation is thereby made easier. The same theory holds in the beneficent results from gardening.<sup>93</sup>

Such emphasis on domesticity and vocational training for black girls reflected contemporary attitudes regarding the role of blacks and women in American society. Booker T. Washington’s philosophy of self-help placed great emphasis on blacks developing marketable skills for service to their communities. During the period of the Industrial Home for Negro Girls operation, this ideal influenced the thinking of both blacks and whites. The early twentieth-century racial uplift and self-help ideals were very easy to be attached to delinquent girls in training schools and reformatories. Often they were just victims of broken homes. Therefore, under the watchful eyes of a

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<sup>92</sup> *Twelfth Biennial Report of the Board of Managers and Superintendent of the State Industrial Home for Girls Chillicothe, Missouri, 1911-1912*, 20-21.

<sup>93</sup> *First Biennial Report of the State Industrial Home for Negro Girls, 1916-1917*.

“Mother” (superintendents insisted on being classed “Mothers” in these “Homes”), learning some sort of marketable domestic skill in these so-called “Homes” served a dual purpose: it prepare young girls for the role of mother, wife, and service provider.<sup>94</sup>

Along the same lines, the superintendent at Tipton from 1933-1934, Mrs. Ethel Bowles, purged the institution of the academic curriculum and replaced it with a vocational one seemingly more appropriate to the inmates’ gender and race. Her action was probably based upon the fact that state appropriations fell short of what was necessary to furnish the girls with both an academic curriculum and a vocational training program. Thus, based upon budgetary considerations, only one educational approach could be employed. Consequently, vocational training was viewed as the one that would be of greatest value to the blacks when they left the institution. In her 1946 M.A. thesis, Nancy Cole argued that:

Through out the history of the institution there has been an attempt to teach trades to the girls committed there. It was recognized that the girls, being Negroes, would have difficulty finding work on leaving the Home because of racial prejudices in employment practices in the state. Special training was given them therefore in the fields of beauty culture and domestic science, as most of the girls would eventually find employment in those two fields.<sup>95</sup>

Any rational person can understand that the employment opportunities outside of the stereotypical, domestic spheres for blacks, and women in general, at that time, were severely limited due to racial prejudices and other cultural norms. Yet that did not, according to Nancy Cole, “alter the basic premise that it is the duty of the State to

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<sup>94</sup> See Estelle B. Freedman, *Their Sisters’ Keepers: Women’s Prison Reform in America, 1830-1930*, (Ann Arbor: University of Michigan Press, 1981).

<sup>95</sup> Nancy Ellen Cole, “Missouri State Industrial Home for Negro Girls, Tipton, Missouri, 1909-1944,” 156.

provide these girls with the same four years of high school that would be available to them in the public schools if they were not in the institution, notwithstanding the fact that in many communities in Missouri there [were] no high school facilities for Negro children.”<sup>96</sup> The state of Missouri’s failure to fully fund the State Industrial Home for Negro Girls at Tipton, and its inability to also secure an acceptable site for the facility’s erection, drastically restricted the institution’s effectiveness in dealing with the juvenile delinquents committed there and did the black inmates an injustice.

In comparing the academic and vocational training programs at both the Chillicothe facility and the one at Tipton, the evidence suggests that the State of Missouri consistently failed to provide equal educational and industrial training for black inmates at Tipton. The white girls at Chillicothe were given a much wider array of educational and career training opportunities that presented them with looming jobs after their release. On the other hand, the state failed to do the same for the black inmates at Tipton. In a combined report for the years 1904-1906, the Board of Managers and Superintendent, for the State Industrial Home for Girls at Chillicothe, Missouri, explained in the *Ninth Biennial Report* that: “This institution gives the unfortunate girls a good common school education, and if they remain long enough, one year of high school work. Those who show an aptitude for book-keeping, stenography and typewriting, receive instruction in this work; many have gone out and at once received good salaries for this added education.”<sup>97</sup> Likewise, Superintendent Angeline M. Clay, wrote in the institution’s 1911-1912 *Biennial Report* that most

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<sup>96</sup> Ibid., 135.

<sup>97</sup> *Ninth Biennial Report of the Board of Managers and Superintendent of the State industrial Home for Girls Chillicothe, Missouri, 1904-1906*, 8.

industrial training schools has “some sort of musical organization, -- choir, orchestra or band, but for the most part these have found their justification in their contribution to the general entertainment, social pleasures, and refinement of the school, rather than as a means of future breadwinning. Not so for us [she argued].”<sup>98</sup>

She concluded by saying that the girls at Chillicothe, upon leaving the institution, were able to make a considerable amount of living with the skills they gained from the musical instruction they received at the institution:

With in the past fifteen months five of our girls have gone from this [music] department into positions paying from fifteen to twenty-five dollars per week and expenses, and one of them tells me that she has banked in the past few months over two hundred dollars, lives at home and goes to her work in the afternoons.... Others have been in high-class musical organizations of the East doing Chautauqua work in the summer and Lyceum Bureau work in the winter.<sup>99</sup>

Conversely, the opportunities provided the black girls at Tipton were never equal to those provided to the white girls at Chillicothe. The Tipton facility for black girls was inadequately funded, and as a result, lacked the necessary equipment and personnel essential to facilitate the educational needs and proper training required to give the black delinquents any prospect of later becoming productive citizens, after their reintroduction into society.

Because of the political atmosphere at the time in Missouri, which was dominated by political patronage (especially during the Governorship of Guy B. Park from 1933-1937) the political affiliation of prospective staff members was a determining factor in being employed at the Tipton facility. That is why, while discussing his qualifications as an

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<sup>98</sup> *Twelfth Biennial Report of the Board of Managers and Superintendent of the State Industrial Home for Girls Chillicothe, Missouri, 1911-1912, 21.*

<sup>99</sup> *Ibid.*

instructor at Tipton, Mr. Victor H. Collins in February of in 1948, commented that “degrees help get jobs, however, they will not hold a job.”<sup>100</sup> He was also the husband of the present superintendent in 1948, and the person who looked after the management of the farm. But the most interesting detail about Mr. Collins and his statement is the fact that he was a well-educated person. He was a graduate of Lincoln University and had done graduate work in Michigan and Minnesota. He also taught mathematics at Lincoln University for eleven years and “was connected to the State Department of Education for approximately twenty years.”<sup>101</sup> Yet, because of the shifting waves of politics, he was insecure in his position with the State Industrial Home for Negro Girls at Tipton, Missouri.<sup>102</sup>

Irrespective of one’s political affiliation, at the end of one party’s reign, according to Jonan Haskell, “the turnover of [training school] personnel is almost 100 per cent.”<sup>103</sup> Blacks employed at the Tipton training school were not immune to this trend. Many lost their jobs for simply being on the wrong side of a political wave. For example, as blacks shifted their political allegiance from the Republican Party over to the Democratic Party, they insisted upon being rewarded with favorable job opportunities. Even it means that

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<sup>100</sup> Donnelly, Phil M., papers 1944-1957: *Missouri Training School for Negro Girls Tipton*, (Western Historical Manuscript, University of Missouri-Columbia). See a report prepared in February 1948, for then Governor Phil M. Donnelly on the general condition of the institutions physical state, as well as the daily operations of the institution.

<sup>101</sup> Ibid.

<sup>102</sup> Kremer and Gibbens argue that “throughout that fourth-year period, the institution generally failed to help its inmates prepare to enter the mainstream of American life. Political patronage determined who would govern the institution, leaving well-meaning but ineffective leaders, with poorly-trained staffs, to deal with an often too-large number of girls whose background and behavior would have challenged even the most sophisticated juvenile delinquency expert.” Kremer and Gibbens, 78

<sup>103</sup> Jonan Haskell, 88.

other blacks would be pushed out the doors, New Deal Democrats demanded that they replaced Republican blacks employed in certain state government positions. An example of this is featured in a May 1933 letter addressed to Governor Guy Park. Written by Mr. E.W. Couey, it sternly declared that “We believe that as long the Negroes of this State are compelled to be in separate schools from the Whites, they should be given responsibility of their schools.... [including] the school at Tipton for Negro Girls... We expect at the next meeting to take up the patronage matter...I ask that you kindly hold this matter open for our recommendation.”<sup>104</sup> Another example of this fact is presented in a letter written on June 20<sup>th</sup> of 1933, in which Governor Parks, bowing to political pressure, requested to be furnished promptly with the name of a black teacher “for the position of teacher at the Industrial Home for Negro Girls, Mo; this job [he stated] pays around \$50.00 per month with board and room.”<sup>105</sup> Fundamentally, political patronage was not in the best interest of the inmates who were committed to the institution between 1916 through 1956. As the evidence shows, education and experience working with delinquents did not ensure job security and the best-qualified persons were not always the ones considered for state jobs.

In 1949, the Missouri Association for Social Welfare issued a report on the state of Missouri’s three training schools, Chillicothe, Boonville (so-called integrated institution for delinquent boys), and Tipton. After interviewing several of the staff of each training school including administrator, teachers, and matrons, the report concluded:

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<sup>104</sup> Mr. E.W. Couey to Gov. Park, March 9<sup>th</sup>, 1933. (Guy Park papers, folder No. 1421, courtesy of the Western Historical Manuscript on the campus of the University of Missouri-Columbia. See collection name Guy Park papers, especially those titled “Negro Problems,” Folder No. 1414 through 1423.

<sup>105</sup> Gov. Park to Edward Plowman, Chairman, Democratic County Committee, Hannibal, Missouri, June 20<sup>th</sup> 1933 (Western Historical Manuscript Collection, Guy Park Papers, Folder No.1416).

Some were able, well-organized persons, sensitive to the problems of children, and professional in their attitudes to those problems; others were merely doing their assigned jobs, their concept of which seemed to include little more than putting in their hours, maintaining order, and submitting necessary reports, with little understanding of their function, or, in fact of that of the training school program.<sup>106</sup>

The Tipton facility struggled from 1916 through 1956 to find well-qualified personnel for its staff, person who had the competence or knowledge relating to the nature of the institution's purpose. At times, the superintendents were forced to employ anyone who applied for a position, thus resulting in the employment of personnel who, at times, did not have the needed qualifications or the necessary skills to help rehabilitate the juvenile delinquents.

Jonan Haskell, who complete a M.A. thesis on the Chillicothe and Tipton training schools, argued that the inability to employ better-qualified officers at Tipton may be explained "...by the low salary, schedules, the location of the institution at some distance from a larger community, and finally by the discrimination of the community against the Negroes in the few recreational facilities."<sup>107</sup> Indeed, the largest African American communities in Missouri at the time were in the St. Louis and Kansas City areas. Thus, the physical location of the training school to rehabilitate African American urban youths should have been located closer St. Louis and Kansas. Unfortunately, the distance between Tipton and St. Louis and Kansas City made it very difficulty for superintendents to staff the institution with individuals who had any

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<sup>106</sup> Missouri Association for Social Welfare, *A Report and Recommendations on the state of Missouri's Three Training Schools, Chillicothe, Boonville, and Tipton*, (Jefferson City, Missouri, 1949). The report covers period February through May, 1949; here after all other references to the MASW reports are provided through the courtesy of Western Historical Manuscripts on the campus of the University of Missouri-Columbia under MASW papers, 1908-1971, File 3475, Folder No. 6279 through 6305).

<sup>107</sup> Haskell, 156.

experience with urban youths. Not many African Americans were willing to relocate to rural Missouri when blacks were vulnerable to physical violence and attacks. Lynching was far too common in early twentieth century mid-Missouri and the states' blacks were far too often the victims.<sup>108</sup>

Based on the *Official Manual for the State of Missouri, 1943-1944*, there was a significant discrepancy between the monthly salaries paid to personnel at the Industrial Home for Girls, Chillicothe and those at the State Industrial Home for Negro Girls at Tipton, Missouri:

Tipton personnel	Salaries	Chillicothe personnel	Salaries
Superintendent	\$165.00	Superintendent	\$225.00
Business Manager	50.00	Executive staff	100.00
Matrons	45.00	Matrons	60.00
Teachers	50.00	Teachers	65.00
Engineers	62.50	Engineer	175.00
Maintenance employee	45.00	Maintenance Employees	79.00

The Chillicothe facility, for example, had many employees who were simply referred to as executive staff personnel that worked in various capacities as administrative and secretarial assistants, as well as an assistant superintendent. On the other hand, the Tipton facility had no assistant superintendent, or as a matter of fact, there were no other personnel who served in any other executive position other than a business manager. The business manager was primarily responsible for handling all financial affairs, which

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<sup>108</sup> Lorenzo J. Greene, Gary R. Kremer, and Anthony F. Holland, *Missouri's Black Heritage* (St. Louis: Forum Press, 1980) 96.

included requisition of supplies from the State Board of commission and distributions of those supplies to the different departments. The superintendent at Tipton, in addition to her formal role as head of the institution also performed the duties of parole officer, secretary, recreation director, discipline officer, religious leader, and school nurse. Based on these factors, it was difficult to find qualified persons to staff the Tipton training school. Workers were very reluctant to take a position in that kind of institutional environment.

The nature of the jobs at the institution required that personnel were in constant contact with the inmates, yet they received very low salaries. The working conditions at Tipton were very unsatisfactory, especially when considering the hours that the employees had to work from six in the mornings until eight o'clock in the evenings, with only one-half hour for a meal and one hour of rest. In spite of that, in reality, that was "...not the total number of hours because the matrons have rooms adjoining those of the girls and may be called every hour of 24."<sup>109</sup> Each matron was directly responsible for ten to twelve girls and their duties included such things as the supervision of the daily physical care of the girls, minor disciplinary problems, and character training.

According to the Missouri Association for Social Welfare report of 1949, many workers "just happen to get into this [kind of] work and regard it either as a temporary job, or in the case of older personnel, a protected situation to see them through until retirement. Neither attitude is conducive to a dynamic approach to the problems of difficult children."<sup>110</sup> This was especially true for those personnel that worked very

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<sup>109</sup> Ibid., 161.

<sup>110</sup> Missouri Association for Social Welfare, *A Report and Recommendations on the state of Missouri's Three Training Schools, Chillicothe, Boonville, and Tipton*, (Jefferson City, 1949), 9.

closely with the inmates, such as the cottage matrons who “because of their proximity to children in daily living, and because of the substitute parent function they perform, are the most significant staff members...and without exception the most inadequately reimbursed group.”<sup>111</sup> The report also indicated that one superintendent reported her inability to fill vacancies for matron positions, and it also reported that there was a lack of consistent supervision by the Training School Board of Managers. This resulted in matrons being allowed to work in proximity with delinquents knowing nothing of the history and personality pattern of the inmates assigned to their care.

Even the superintendent of the institution in 1948, Mrs. Collins, thought that she had too little information about the inmates at the institution. This lack of policy guidance on the part of public officials was not in the best interest of the delinquents committed at Tipton, because the inmates’ personal training and treatment needs were very dependent up on the institution’s ability to accommodate each inmate’s individual needs. Therefore, the institution should have had, at all times, inmates’ personal histories and other relevant information. Indeed, because her files contained very little information pertaining to the past history of the inmates,<sup>112</sup> Mrs. Collins later requested that she be given copies of the information compiled by the parole and other investigating officials pertaining to the inmates at the institution.

Another apparent failure, linked to state and other public officials, was the inadequate funding of the Tipton facility. Because the state legislature often

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<sup>111</sup> Ibid., 8.

<sup>112</sup> Donnelly, Phil M., papers 1944-1957: Missouri Training School for Negro Girls Tipton. File No. 2151A, Folder No. 3854 (Western Historical Manuscript, University of Missouri-Columbia). A report prepared in February 1948, for then Governor Phil M. Donnelly on the general condition of the institutions physical state, as well as the daily operations of the institution.

appropriated insufficient funds for the Tipton training school, the school found it difficult to hire necessary personnel. As stated earlier, one noticeable effect of this was that, in addition to Tipton's superintendent's administrative duties, she also served as a nurse, secretary, disciplinary officer, school principal, vocational director, recreational director, religious leader, and parole officer.<sup>113</sup> That was not the case at Chillicothe, because the duties of the superintendent there did not go beyond her administrative capacity as superintendent. Furthermore, the Chillicothe institution had various staff members employed as executive personnel, which included an assistant superintendent while the superintendent at Tipton did not even have an office helper, at times.

In February of 1948, Governor Phil M. Donnelly received an investigative report, which outlined the strenuous duties of the superintendent at Tipton. The report also documented that Tipton's superintendent, Mrs. Lena Collins, had little administrative help. For instance, Collins noted that, "her files are not kept up properly, adding that she cannot handle the many office details and manage the institution at the same time."<sup>114</sup>

Because of this lack of help, the superintendent was sometimes forced to use one of the teachers to assist her in the evenings with her office work. But the problem went far beyond a lack of administrative assistance; there were not enough personnel on hand to adequately address the needs of the inmates. Indeed, an article by the *St. Louis Star-Times* in May of 1943, found this to be true. The paper reported that:

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<sup>113</sup> Jonan Haskell, 155.

<sup>114</sup> Donnelly, Phil M., papers 1944-1957: Missouri Training School for Negro Girls Tipton, (Western Historical Manuscript Collection, University of Missouri-Columbia).

Tipton needs an increased appropriation for higher salaries and a larger staff...There are no relief matrons. After a matron works at the home for six weeks she is given four days off. After that she has four days off each month. Consequently, much of the time there are only the superintendent and two matrons on duty.... The extremely low salaries result in frequent changes in the staff. Obviously, this institution needs a larger staff and higher salaries, and needs them desperately.<sup>115</sup>

Six years later, however, the Missouri Association for Social Welfare also reported in 1949 that personnel available for the individual care for the inmates within the training school were not adequate.<sup>116</sup>

In general, all of Missouri's training schools experienced some difficulty in securing adequate appropriation from the state for employing personnel and other operational cost. In the case of State Industrial Home for Negro Girls at Tipton, this was a problem that was too constant. The state was always consistent when it came to under funding this institution that provided service to Blacks. Like other black institutions throughout the state, such as Lincoln University, this issue plagued the institution throughout its four decades of existence. For example, in each of the respective biennium from 1931-1932 through 1943-1944, the Governor's office, the Tax Commission, or the legislature significantly reduced the amount requested by the institution. (See Table 2)<sup>117</sup>

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<sup>115</sup> *St. Louis Star-Times*, May 13, 1943, "Whipping Called a sign of a Backward Training School." (The article was quoting Miss Coral Bates, who was the Executive Secretary of the Missouri Welfare League).

<sup>116</sup> Missouri Association for Social Welfare, *A Report and Recommendations on the state of Missouri's Three Training Schools, Chillicothe, Boonville, and Tipton*, (Jefferson City), 1949, 8.

<sup>117</sup> The information for the table was secured from Nancy Ellen Cole's, *Missouri State Industrial Home for Negro Girls, Tipton, Missouri, 1909-1944*, 76. The author indicated that the body of information was secured from the State Budget Department reports for biennium periods indicated.

Table 2.1

*Amount of Funding Requested for General Operation by The State Industrial Home for Negro Girls at Tipton, Missouri, and Amount Granted by the State for each Biennium Period, 1931-1944*

Biennium	Amount requested by Tipton	Tax Commission's Recommendation	Governor's Recommendation	Legislative Appropriations
1931-32	\$27,552	\$27,552	\$27,552	\$25,000
1933-34	29,940	35,000	25,940	?
1935-36	47,880	32,000	32,040	29,040
1937-38	40,000	32,000	?	30,000
1939-40	35,000	27,000	?	27,000
1941-42	32,040	27,000	?	22,750
1945-44	23,920	?	23,920	?

With such meager resources, and virtually no social services or policy guidelines on discipline, a merit system was used to classify inmates and monitor their behaviors. Indeed, this method of institutional discipline was common of all training schools during this period. According to David J. Rothman in his 1980 book, *Conscience and Convenience*, virtually all early twentieth-century “training schools”

for juvenile delinquents followed a “merit and demerit system.”<sup>118</sup> Tipton, like other institutions of its kind, also used a merit system.<sup>119</sup> Ethel Bowles, superintendent at the Tipton Home for most of the 1930s, described the merit system at Tipton in her first biennial report. “Discipline is enforced through a merit system,” she argued, “which enables girls to adjust themselves and keep check on their own behavior and attainments.”<sup>120</sup> Based on this system, two merits were given each day for perfect performance in the following:

1. Work: Neatness and accuracy, reliability, regularity and promptness
2. Conduct: Honesty, Obedience, Peacefulness, good sex habits, and decent language
3. Attitude: Disposition, intent, application and effort, initiative
4. Personal appearance: Clothing mended and put on properly, no pins. Cleanliness of body, hair, nails, and clothing and living quarters
5. Sportsmanship: Cooperation, spirit of give and take on play ground, details in hall

The Industrial Home for Negro Girls had no psychological or psychiatric services; as a result, the classification of the girls was done superficially. Classification was done mostly on conduct. This also helped to ease the pressure on the personnel at the Home. For example, as a girl’s conduct was observed in her work and play ground

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<sup>118</sup> See Rothman at 277.

<sup>119</sup> This system was first put into effect at Tipton, in January 1922. See the *Biennial Report of the Department of Penal Institutions, 192-1922*, 65.

<sup>120</sup> Biennial Report, 1933 – 1934; *Ibid.*, 1935, 436; also see Joan Haskell, “Institutional Treatment of Delinquent Girls in Missouri,” 177 and Nancy Cole, “Missouri Industrial Home for Negro Girls,” 148.

activities, the staff was able to determine which dormitory that girls would make the best adjustment in. A perfect performance for four weeks gave inmates an average of forty-six merit points. These merits also determined which one of four different groups a girl would be placed and given opportunities for special privileges. This helped the staff to maintain behavioral order and uniformity. The first group was the most prestigious group and was simply referred to as C.O.C. or the “Cream of the Crop.” The girls in this group enjoyed highest honors, privileges, wore the nicest clothes, and were eligible to be leaders on the student council. The other groups were called “Groups Two,” “Group Three” and “Group Four.” Those girls in Group Four enjoyed a minimum amount of privileges and were sometimes called the “Bottom Gang” or the “Chain Gang,” because they continuously disregard the rules of the institution.<sup>121</sup> Often the rules of the institution meant a deep respect for what Gary Kremer and Linda Rea Gibbens termed the “trinity:” God, “Mother” (meaning the superintendent), and domesticity.<sup>122</sup>

In a 1938 investigative report, the Osborne Association, a private organization, issued its findings on the use of dresses to punish and rewards the girls at Tipton in the following:

Group One has no uniform, each girl being permitted to choose her own dresses; Group two wears pinstriped shirtwaists and skirts; Group Three wears striped overalls, and Group Four is dressed in blue denim work dresses. All girls wear white dresses on Sunday and for special occasions....All girls begin in the second group....The merit plan at Tipton differs from those at other institutions in that it relates only to privileges and prestige within the institution and it does not determine the time of release.<sup>123</sup>

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<sup>121</sup> Ibid., 1935, 436; Joan Haskell, 177.

<sup>122</sup> Gary R. Kremer and Linda Rea Gibbens, “The Missouri Home for Negro Girls the 1930s,” 81.

Such method of control was important at the Home because it was always short on personnel, funding for trained staff was always in short supply, its employees were paid less than their white counterparts at Chillicothe, and it suffered from overcrowding. All of these factors made it even more difficult for the Home to fulfill its philosophical goals and give the girls adequate care and attention. For example, in 1927 the institution had a population of 133 inmates and 132 were recorded for the following year.<sup>124</sup> Indeed, the State Survey Commission defined the Home's maximum capacity in 1929 to be seventy-five. Yet at the time the commission stated that the institution was overtaxed by approximately seventy-five percent. Under such circumstances, the commission recommended that additional dormitories, which were called for in the original plans but were never constructed, be added immediately. The Missouri Welfare League, in 1929 and 1933, also pointed to this issue in two separate reports. For example, the daily average number of inmates for 1932 was eighty-two and in 1933 the Home housed eighty girls. Yet despite of the well-known needs that existed at the Industrial Home for Negro Girls, the State Building Commission neglected to include it in any of building projects. Even though for the biennium period for 1937-1938, a number of other state institutions benefited from an extensive building program it embarked on. In fact, the institution was not even mentioned in any reports made to the Building Commission or listed among the proposed projects in

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<sup>123</sup> Osborne Association, *Handbook for American Institutions for Delinquent Juveniles*, Vol. I, (Osborne Association, Incorporated, 1938); quoted in Nancy Cole, "Missouri Industrial Home for Negro Girls," 149.

<sup>124</sup> Nancy E. Cole reported that, "at one point the institution had as many as 142 girls." However, between the period from 1916 – 1944, the highest number of inmates at the facility, based on one of Cole's Tables, was 133 for the year 1927. See Nancy Cole, "Missouri Industrial Home for Negro Girls," 21 and Table 7 at 104.

the *Official Manual of the State of Missouri*, for the 1937-1938 bienniums. Even up until 1945, the recommended additional dormitories were still needed.<sup>125</sup> And again in 1950, the Missouri Association For Social Welfare gave praises to the legislature for erecting new “well planed, well furnished and sanitary cottages” at Chillicothe and Boonville, but made no mention of Tipton receiving any new buildings. However, the Association noted that training at Tipton was not as complete as at Chillicothe.<sup>126</sup>

Based upon the evidence presented thus far, the State of Missouri clearly failed to properly equip the State Industrial Home for Negro Girls at Tipton with the necessary funding, to provide a positive environment for the young women sent there. This deprived the more than one thousand black juvenile delinquents, who passed through the Tipton facility between 1916 and 1956, a fair opportunity to become productive citizens.

In view of the fact that there was no systematic effort made to keep any record of the young men and women’s condition after their release from both Tipton and Chillicothe, it is impossible to determine the degrees of success or failure on behalf of the state. However, the annual report published by the Division of Educational Institutions for the State Board of Training Schools, in the Department of Corrections on June 30, 1949, stated that:

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<sup>125</sup> J.J. Sullivan, “Report on the Industrial Home for Negro Girls, Tipton,” in *Penal and Eleemosynary Data Supporting Data to the Reports of the State Survey Commission to the Honorable Henry S. Caulfield, Governor of Missouri*, 21; Missouri Welfare League, Report and Recommendation Relative to the State Industrial Home for Negro Girls, Tipton,” 1929; Ibid., “Industrial Home for Negro Girls, Tipton, Plant and Needs,” 1933; also see Nancy E. Cole, “Missouri Industrial Home for Negro Girls,” 22 and 104 and Gary R. Kremer and Linda Rea Gibbens, “The Missouri Home for Negro Girls the 1930s,” 81.

<sup>126</sup> Missouri Association for Social Welfare, A Report and Recommendations on the state of Missouri’s Three Training Schools, Chillicothe, Boonville, and Tipton, (Jefferson City, 1950), 16; Abrams, *A Very Special Place in Life*, 106.

The philosophy of the Training Schools...may be stated; that our three [training schools] receive those products of bad environment, bad family life, immorality, and other vices, and it is our task to shelter them for a temporary interval in our three states home. While there, it is our duty to give them whatever training in religion, in social conduct, improved behavior, in health, education, both academic and vocational,.... and then to return them into a normal position in our state society....Our hope is that they be given an even chance to become normal citizens of Missouri.<sup>127</sup>

The State of Missouri basically failed the black juvenile delinquents at the Tipton Training School, because they were never given an equal chance to become normal citizens of Missouri, in the same way that whites were. There were several determining factors that directly hindered the institution's effectiveness, which included meager appropriations, unskilled employees, political patronage, racist sentiments and inadequate staffing.

In February of 1951, the Missouri Association for Social Welfare issued a report on how unfavorable conditions at the three training schools of Missouri could be corrected. One recommendation was that the "Negro boys at Bonneville (the institution for delinquent boys, black and white) should eat with white boys in the same dining hall rather than in a separate isolated unit as at present. They should also share in all the programs provided for white boys. Specifically they should have the same access to vocational training opportunities as white boys."<sup>128</sup> At the State Industrial Home for Negro Girls at Tipton it was found that there were no social services through which appropriate help might be made available to the children, no

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<sup>127</sup> Missouri Association for Social Welfare, A Report and Recommendations on the state of Missouri's Three Training Schools, Chillicothe, Boonville, and Tipton, (Jefferson City, 1950), 2.

<sup>128</sup> Ibid., 1951, 16.

adequate recreational facilities provided and no formal exploration of the causes of delinquency as means to rehabilitation.<sup>129</sup>

According to Gary Kremer, the unreserved conviction that social progressives had in the “state-as-parent created an early twentieth-century juvenile justice system which gave judges and institutional superintendents almost total power over ‘delinquents’ without giving them the economic, philosophical or political wherewithal to accomplish their avowed goals.”<sup>130</sup> As a result of the failures of public officials in Missouri, the State Industrial Home Negro Girls at Tipton, Missouri, which operated from 1916 through 1956, suffered in a variety of ways.

The extent to which this institution failed the black delinquent girls of Missouri who passed through its doors is summed up by Jonan Haskell in the following:

In no instance, with perhaps the exception of the laundry and plumbing equipment, is any room in the living quarters, schools, or the vocational department adequately equipped. Nor do the rooms even approach the minimum for standard equipment in an institution for delinquent girls. It is quite evident that little expenditure has ever been made for those items absolutely necessary for carrying on a training program. In fact, the equipment is so far below standard as to give rise to grave doubts as to whether even the health and physical care of the inmates can be properly provided.

The method of locking the girls in their rooms are so old and imperfect that their safety is greatly endangered. All rooms are secured by padlocks which are so old that they are unreliable. Each hall matron is responsible for five or six keys. Since these keys look alike, it is very possible that she would have difficulty in unlocking the doors quickly. The windows of the dormitories and the single rooms for the girls are covered by a heavy wire grilling. This grilling is placed on the windows in such a manner that it can easily be lifted out of position for the outside.<sup>131</sup>

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<sup>129</sup> Ibid.

<sup>130</sup> Gary R. Kremer and Linda Rea Gibbens, 78.

<sup>131</sup> Jonan Haskell, 166-167.

Surely, Child Savors, who meant well in entrusting the government and public officials as paramount substitute parents and protectors of youths, did not anticipate these inherent failures on the part of the public officials. Nor could they have anticipated that the training schools and industrial homes they created would be used as places of punishment. Indeed, as the next chapter will demonstrate, the State Industrial Home for Negro Girls developed an impressive reputation for dishing out torture.

### Chapter III

#### Changing Focus: Show Me Terror at Tipton, 1940s

Toward the end of the nineteenth century, penal reformers rejected punishments based on terrorization and brutality as a means of discipline in their reformatories. In 1878, for example, the second International Penitentiary Congress met in Stockholm, Germany. At the Congress, prominent penal reformers discussed problems associated with the prevention of juvenile delinquency. Most notable among them were Mary Carpenter, T. B. L. Baker and Frederick Wines, the United States Special Commissioner to the Congress. The Congress determined that delinquent children should not be punished but educated so as to allow them to “gain an honest livelihood and to become of use to society instead of an injury to it.”<sup>132</sup> Indeed, reformers argued that punishment was not the goal of their penal programs. In their reformatories, unlike penitentiaries and jails, corporal punishment should only be used as a means of last resort. One superintendent of the Connecticut State Reform School, for instance, declared that, “All ludicrous and highly artificial punishments are to be avoided. All punishments that bring raillery and ridicule upon the object of it, are not to be tolerated.”<sup>133</sup> Thus, in theory, punishment is required only when all other methods have been exhausted or when the person being punished benefits from such act. After all, “Child Savers”

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<sup>132</sup> Frederick Wines, “Report on the International Penitentiary Congress, 1878,” in Board of State Commissioners of Public Charities of the State of Illinois, *Fifth Biennial Report*, 273-85 (Springfield, Illinois: Weber, Magie and Co., 1879), in Anthony Platt, *The Child Savers*, 50.

<sup>133</sup> G.E. Howe, “The Family System,” PNCCC, 1880, 223, in Platt, 54.

intended for these reformatories to perform a social service to children; they were to be the homes and schools delinquent, neglected, and dependant children lacked.

Based on the reformers' beliefs, it was only logical that when the State Industrial Home for Negro Girls was established, it was placed under the jurisdiction of the State Eleemosynary Board. A board of managers was established to oversee the management of the institution. They reported directly to State Eleemosynary Board. This board composed of three men and two women. All were African American. In 1917, however, the control and management of the school was transferred to the Missouri Prison Board. With the transfer of responsibility from the all African American board of managers to the Missouri Prison Board, control of the Home, at least at the state level, was given to whites. Blacks, of course, remained in charge at the institutional level. The Missouri Prison Board was later reorganized and renamed the Department of Penal Institutions. This department was given control of all the state's correctional institutions from 1921 to 1944. Following the adoption of the State's new constitution in 1945, the penitentiary and other prisons remained under the control of the new Department of Correction, but the reformatories were removed from that department and classified as educational institutions.

As part of the Missouri Department of Penal Institutions, Missouri's training schools were not managed as the ideal family home "Child Savers" had envisioned, but as little prisons for youths. The programs that were implemented in Missouri reformatories were under-funded, understaffed, and the personnel lacked the necessary qualifications to effectively handle their responsibilities. Moreover, having the state's reform schools and penitentiary managed by the same group of individuals was a huge

blunder on the part of public officials. At the state penitentiary, for instance, the Director and the Penal Board approved, and often relied heavily on, the use of intimidation and terrorization as methods of control. Such practices became common in Missouri's training schools as well. As a result, corporal punishment took precedents over rehabilitative treatments. Consequently, the system developed a history of institutional failures.

The union between Missouri's prisons and delinquent juvenile institutions was not a wise arrangement. As early as 1922 some Missourians began agitating for this relationship to be severed. For example, in his 1922 survey of Reformatory for Boys at Boonville, Dr. A. F. Kuhlman, a University of Missouri sociology professor, argued that:

The institutional work of juvenile offenders is essentially an educational and training problem, and it should be removed from penal control. It should be correlated with the work done for neglected and dependent children; for the problem of delinquent child is inseparably interwoven with those presented by the dependent and neglected child.

The best results can be obtained only if these problems are treated as a unit. It is therefore recommended that the control of this institution.... be removed from the Penal Board....<sup>134</sup>

His recommendations were, in fact, relevant to all state delinquent institution at the time. By 1941, only four states placed their training school for juvenile delinquents under the control of their department of penal institutions. Missouri was one of the four. Most states placed these schools under the jurisdiction of the department of education, child welfare, or some other similar department.<sup>135</sup> Following Professor Kuhlman's earlier recommendations, there were many more attempts to establish a non-partisan

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<sup>134</sup> A. P. Kuhlman, "Survey of the Reformatory and Penal Institutions of the State" (Missouri: 1922), 5-6; Also quoted in Nancy Ellen Cole, "Missouri State Industrial Home for Negro Girls, Tipton, Missouri, 1909-1944" (Saint Louis: M.A. Thesis, Washington University, 1946), 51-52.

<sup>135</sup> Jonan Haskell, "Institutional Treatment of Delinquent Girls in Missouri: A Study of the Institutional Homes for Girls at Chillicothe and Tipton," (Columbia: M.A. Thesis, University of Missouri, 1943), 17.

board of control, the hiring of employees, other than the superintendent, on the merit of their skills, and removing the juvenile institutions from the Department of Penal Institutions. The Osborne Association also recommended in 1938 that the Department be completely reorganized and incorporated into a welfare agency, staffed with persons trained in welfare administration, and directed by a non-political department.<sup>136</sup>

In 1937, and again in 1938, the Missouri Welfare League also repeated Professor Kuhlman's earlier suggestions. The League urged legislatures to place the training schools under the control of the Social Security Commission. Since this Commission was already serving dependent and neglected children through its programs of Aid to Dependent Children and its other Welfare Services to children throughout the state, this arrangement would have been a more appropriate one. Again in 1939, Mrs. Carol Bates, the Executive Secretary of the Missouri Welfare League, called the relationship between the Department of Penal Institutions and training schools "wholly unsatisfactory." The Department, she argued, did not have the experience or the time to educate its employees on the problems of children. The Treasurer of the Missouri Welfare League, G. Alexander Hope, also urged lawmakers to give control of training school to the Social Security Commission. He argued that the children were handicapped from the needless stigma caused by their institutions being under the control of penal officials.<sup>137</sup>

In a report presented in 1939 to Governor Lloyd Stark, the Children's Code Commission reasoned that:

The problem of administering correctional institutions for delinquent children is educational rather than penal....The association of such schools with a penal board

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<sup>136</sup> Osborne Association, *Handbook of American Institutions for Delinquent Juveniles, Vol. 1*, 1938.

<sup>137</sup> Missouri Welfare League, "Legislative Measures to Reduce Crime in Missouri, 1936-1937;" *Ibid.*, "Needs Relative to the Treatment of Offenders in Missouri," May, 1938; Nancy Cole, 53-54.

is of doubtful wisdom. The purpose of [these schools] is to re-train children whose behavior necessitates a special program. The problems of these children are social and can be handled satisfactorily under state authority other than a Penal Board. Furthermore....they should be spared the stigma of a record in a school supervised by the same board that directs our penal institutions.<sup>138</sup>

The federal Prison Industrial Reorganization Administration conducted a study of the general organization and policies of Missouri's Department of Penal Institutions in 1938. The Administration made a number of recommendations concerning the lack of attention given to penal institutions other than the penitentiary. It found that "[t]he Department of Penal Institutions should have been run as a unified correctional system with different independent but related units serving different functions, and no one unit such as the penitentiary receiving special emphasis." In the case of employing personnel, it also found that "All persons in the employ of the department should not only have been required to take examinations, but should have been selected and promoted on a merit basis and given civil service status."<sup>139</sup>

The complexity of managing all the state's correctional institutions, especially the penitentiary, caused penal officials to grossly neglect the training schools. In an interview done on June 15, 1942, the Director of Penal Institutions noted that "[w]e have entirely too much work to attend to in the penitentiary and at Algoa [the Intermediate

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<sup>138</sup> See *Report of the Children's Code Commission to the Honorable Lloyd C. Stack, Governor of Missouri, 1939*, 24.

<sup>139</sup> See recommendations by the Prison Industries Reorganization Administration, "Prison Problem in Missouri," 1938. Also quoted by Nancy Cole, see a full account of six recommendations on 54-56. The Administration also argued in its report that:

Missouri should reorganize its institutional system completely and integrate it with other public welfare activities under a non-political state department directed and staffed by persons trained and experienced in welfare administration. If such reorganization is impossible at this time the training school should be taken out of the Department of Penal Institutions and placed under some existing agency or created agency capable of exercising leadership along progressive lines and disposed to give their interests a strong representation before the legislature and the people of the state. Prison Industries Reorganization Administration, 119; also see Jonan Haskell, 204.

Reformatory for Young Men]. Although I should like to do more, I cannot because there is just not enough time enough for everything.”<sup>140</sup> That same year, the American Legion of Missouri, once again, called for all the state’s training schools to be removed from the control of the Department. The organization claimed that under the Department, the law governing age limitations was being ignored and minor offenders were not segregated from more experienced offenders.<sup>141</sup> Such lack of interest in the welfare of the children in Missouri’s training schools continued for some time. All attempts to restructure the way children were cared for in these institutions were brushed aside by lawmakers.

In 1937, for example, House Bill No. 514 was presented to give jurisdiction over all the state’s juvenile institutions to the State Welfare Services. The House Committee on Penal and Eleemosynary Institutions, however, killed it. Two years later a similar bill was also killed in the House. To turn the juvenile institutions over to the state’s Social Security Commission, Representative S. L. Edwards of Mexico, Missouri, presented House Bill No. 218 in 1939. This bill did not even get through the House.<sup>142</sup>

In 1941, Senate Bill No. 100 was introduced to the Sixty-First General Assembly. As the following quote demonstrates, this bill had a progressive approach to the social problem of delinquency:

The public policy of the Senate is declared to be as follows: Juvenile delinquency is a serious menace to the health, morals, and welfare of the people of this State, and the prevention of Juvenile delinquency, and the proper cure of Juvenile delinquency may be promoted by dealing with them as physically, mentally, and morally weak children, and not as criminals. It is the purpose of the General Assembly, therefore,

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<sup>140</sup> Jonan Haskell, 200.

<sup>141</sup> *St. Louis Star-Times*, September 9, 1942.

<sup>142</sup> *House Bill No. 514, Fifty-Ninth General Assembly, 1937; House Journal of the Fiftieth General Assembly; House Bill No. 218, Sixtieth General Assembly, 1939; House Journal of the Sixtieth General Assembly, 1939; Also see Nancy Cole at 56-58.*

to cause the three Training Schools to be scientifically administered as educational and [vocational] training institutions for delinquent children, and removed from such children the stigma of penal servitude.<sup>143</sup>

This bill, then, called for the training schools to be designated educational institutions and a separate commission established to assume control of all juvenile institutions. However, like the others before it, the bill died in a senate committee.<sup>144</sup> Though not surprising, such lack of concern for the welfare of Missouri's children in penal institutions is shockingly hard to comprehend. Because of state legislators' unwillingness to make the necessary changes, as recommended by knowledgeable individuals and organization in the field of child welfare and delinquency, the state's training schools remained in a backward state for much of the first half of the twentieth-century.

An examination of Missouri's training schools during the 1940s reveals that, when it came to progressive methods of rehabilitation, they were among the worse in the nation. In regard to the Industrial Home for Negro Girls, numerous accounts of torture, excessive use of corporal punishments, and what was considered by other states as "out-of-date" and "backward" methods of punishment rendered this institution ineffective. That may explain why in 1951, the Missouri Association for Social Welfare reported that no formal attempt to explore the causes of delinquency, as an aid to rehabilitation was present at the Tipton.<sup>145</sup> Instead, the school had become a prison for child offenders, many of whose crime were no more than poverty.

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<sup>143</sup> *Senate Bill No. 100, Sixty-First General Assembly, 1941.*

<sup>144</sup> *Ibid.*

<sup>145</sup> *Missouri Association for social welfare, Missouri's Three Training Schools: Report and Recommendation, No.2* (Jefferson City: February 1951), 16.

According Schreiber and Moeller, “[f]ew, if any, of the girls at Tipton had been sent there for any serious crimes.”<sup>146</sup> In fact, many were sent there because they were innocent victims of broken homes. Likewise, some lacked the parental care that the children of the middle and upper classes had. Thus, they were sent to Tipton for small offenses that other children would not have been institutionalized for – truancy, incorrigibility, frequenting dancehalls, staying out until late at night, or other kinds of activities that were not considered proper Victorian behaviors. They were by no means dangerous criminals. Yet, penal officials treated them as if there were vicious criminals.

It did not take long for these failures to be recognized throughout the entire national juvenile justice system. By the mid-1930s, for instance, a major study of the nation’s juvenile justice system found that nearly 90 percent of the nation’s juvenile delinquents were becoming recidivists.<sup>147</sup> The existence of such institutional failures blatantly belied the optimistic trust that most social reformers invested in the public officials to act as surrogate parents.<sup>148</sup>

The primary purposes for establishing the training schools were to treat and train juvenile delinquents, *not to punish them*. However, they had become associated with institutional terror, and all other sorts of cruelty – beatings, deaths, drugs, rapes, and riots. Larry Cole wrote that these institutions, “[a] t worst...are processing children

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<sup>146</sup> Mark S. Schreiber and Laura Burkhardt Moeller, 180.

<sup>147</sup> David J. Rothman’s *Conscience and Convenience: The Asylum and Its Alternatives in Progressive America, revised edition*, (New York: Aldine de Gruyter, 2002), 286. Also see Gary R. Kremer and Linda Rea Gibbens, “The Missouri Home for Negro Girls in the 1930s,” (*American Studies*, Fall, 1983 Vol. 24, No. 2, 77-93), 78.

<sup>148</sup> *Ibid.*, X-XI; also see Jack David Muraskin, *Missouri Politics During The Progressive Ear, 1896-1916*, (Ann Arbor, Michigan: University Microfilms, Inc., 1969), 258.

to their deaths.... [and] ...At best they are warehousing them like tiny time bombs, shipping them out from time to time to explode, with unpredictable injuries.”<sup>149</sup> During the spring 1943, after the cruelty at Tipton became publicized, an article in the *St. Louis Star-Times* argued that “the maltreated victim” of the corrections system “will emerge with a vicious hatred of the authority of the law, of which the prison is a symbol in his mind. He will have a natural and inevitable impulse to get even with the society which he holds accountable for his torture.”<sup>150</sup>

Thus, Missouri’s approach to delinquent treatment was closer to “medieval cruelties” than progressive rehabilitation.<sup>151</sup> In 1949, for example, John Tindall, a former superintendent at the Boonville Training School, described in a *St. Louis Post-Dispatch* article the brutality practiced at the facility. He recalled that he “saw black eyes, battered faces, broken noses” and other acts of cruelty inflicted on the boys. “The usual corrective procedure among the guards,” he reasoned, “was to knock a boy down with their fists, then kick him in the groin.”<sup>152</sup> The ill treatment of incarcerated youths in Missouri was not confined to the Boonville facility alone. It was a wide spread practice in Missouri’s corrections institutions, from the penitentiary on down to the reformatories. However, more than any of Missouri’s other training schools, this practice existed at the State Industrial Home for Negro Girls the longest.

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<sup>149</sup> Larry Cole, *Our Children’s Keepers: Inside America’s Kid Prisons*, (New York: Grossman Publishers, 1972), xiii.

<sup>150</sup> *St. Louis Star-Times*, “Missouri Stands Ashamed,” May 26, 1943.

<sup>151</sup> *Ibid.*, May 11<sup>th</sup>, 1943, “The Terror At Tipton.”

<sup>152</sup> *The St. Louis Post-Dispatch*, 1949; also quoted by Dick Mendel in his article “Small is Beautiful: Missouri’s Division of Youth Services,” (*AdvoCasey*, Spring 2003).

## Missouri's Institutional Failures: The Dungeons and Its Alternatives

Both constructive and corrective disciplinary methods were practiced in Missouri's Industrial Homes and Training Schools. The two forms of constructive discipline practiced were the merit system and the student councils. Margaret Reeves defined the goals of these methods to include "treatment, training, and adjustment of an individual with behavior problems."<sup>153</sup> Although the more constructive forms of discipline were relatively successful in behavior control, corporal punishment was used to correct a specific act or behavior. Many of the girls who came to the Industrial Home for Negro Girls were difficult to handle. While a majority of the staff came from rural towns, a majority of girls came from urban Missouri. As a result, neither group made an effort to understand the other. The inmates made the officers' job difficult and the officers did not hesitate to let them know who were in charge. Considering that the officers at the Tipton Home were untrained, exhaustively over-worked, and under-compensated for their efforts, abuse was predictable. Consequently, corrective discipline was relied on heavily at Tipton Industrial Home for Negro Girls.

From 1917 to 1946, there were no laws regarding punishments in Missouri's training schools. That is, any laws preventing a superintendent at any of the state's three delinquent institutions from using any disciplinary methods deemed necessary to maintain order at an institution. Before 1917, a provision under the eleemosynary statutes maintained that any person who willfully beat, struck, wounded, injured,

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<sup>153</sup> For a discussion of disciplinary methods in early twentieth-century training schools, see Margaret Reeves, *Training School for Delinquent Girls*, (New York: Russell Sage Foundation, 1929), 337.

mistreated, maltreated, or handled an inmate in a cruel or inhumane manner was, upon conviction, punishable by a fine or imprisonment, or both. This provision, of course, was no longer valid after 1917 when the training schools came under the umbrella of the Missouri Prison Board and later the Department of Penal Institutions. Later in 1946, when the state's new constitution came into effect, it provided protection against cruel and inhumane punishment for Missouri juvenile delinquents and removed juvenile institutions from penal control when it classified them as educational institutions.<sup>154</sup>

In her 1930 biennial report, Elizabeth Shelby, the superintendent of Tipton, maintained that "Every girl is made to feel at home here; the institution is not a place of punishment, but a school where she may be taught to establish an upright character and habits of industry, and advance them in the branches of knowledge taught in public schools of the State."<sup>155</sup> Like most Progressive-era reformers, Superintendent Shelby was being overly optimistic about the institutions' purpose. Tipton was indeed a place of punishment. The so-called "Home" did not offer the best experience or "surrogate parents" for the girls. It was a prison. And as the case is with all prisons, *punishment* is emphasized as an important component of correcting old habits and establishing "upright character."

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<sup>154</sup> Velma Elizabeth Huseman, "History of the Industrial Home for Girls, Chillicothe, 1887-1940" (St. Louis: Washington University, M.A. thesis, 1941), 198; also see Nancy Cole, "Missouri Industrial Home for Negro Girls," 155.

<sup>155</sup> Quoted in Mark S. Schreiber and Laura Burkhardt Moeller (Missouri Department of Corrections), *Somewhere In Time: 170 Years History Of Missouri Corrections*, (Marceline, Missouri: Walsworth Publishing Company, 2004), 88.

In its 1938 investigation of Missouri's training schools, the Osborne Association reported that the institution was using both solitary confinement and corporal punishment. These were the most brutal forms of punishment used at the Industrial Home for Negro Girls. Solitary confinement in "special punishment rooms" called the "dungeons" was just as cruel as receiving lashes. The use of the "dungeons" at Tipton was so vicious, that the Biennial Report for 1925-1926 stated that "the dungeons have been turned into clothes closets."<sup>156</sup> In fact, according to the *St. Louis Star-Times*, they were ordered closed by Governor Henry S. Caulfield in 1929.<sup>157</sup>

On a visit to the Home in the early 1940s to conduct research, Jonan Haskell described these special punishment rooms in the following manner:

A special punishment room is located in the Hospital Hall adjoining one of the bathrooms. It is an uncomfortable room because it is very small and is situated in line with the direct rays of the afternoon sun. The one window in the room is painted in order shut out the view from the outside.

Originally, girls who were punished severely were placed in one of the two rooms known as the "dungeons." These rooms are in the basement of the wing adjacent to the laundry. They are extremely small inside rooms with thick stone walls, no windows, and heavy doors. A small opening in the door approximately eight by 12 inches is the only source of light and air, and this opening is into the laundry which also has thick stone walls and inadequate ventilation and light. According to the superintendent, these "dungeons" are no longer used as such but are now used as storerooms for laundry.<sup>158</sup>

Corporal punishment in the form of whippings was in operation and used frequently. No law prevented this practice. As result, it was used to the detriment of the juvenile delinquent girls housed at the Home. In 1938, the Osborne Association had this to say about punishment at Tipton:

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<sup>156</sup> *Biennial Report, 1925-1926*, 171.

<sup>157</sup> *St. Louis Star-Times*, "The Terror At Tipton," May 11, 1943.

<sup>158</sup> Jonan Haskell, 167-168.

The authorized punishments, as listed by the superintendent, include whipping, segregation, deprivation of privileges, and the withholding of merits resulting in a lower grade standing.

It was said that whippings, which are used only as a last resort, and are administered by one of the discipline committee in the presence of two others. The girl is required to undress and lie across the table in the office and the whipping is administered with a strap.

Two rooms in Hospital Hall and one in the administration building have been fitted with barred windows to serve as isolation rooms in place of the dungeons formally used for this purpose. The usual period of segregation is two or three days but occasionally it may be extended to several months. Regular meals with reduced quantities of all food are given girls in segregation but they have no privileges and do not participate in any activities.<sup>159</sup>

Following its investigation, the Osborne Association made this recommendation regarding the use of corporal punishment at Tipton. “The superintendent apparently has the necessary authority to abolish corporal punishment completely and we urgently recommend that she do so. To spank an adolescent boy or girl is to run the risk of defeating the objectives of a training school by inflicting more hurt to the pride and self respect than to the body.”<sup>160</sup>

The superintendent immediately responded and, her letter was printed in the association’s report. In the letter she acknowledged that:

We are completely in accord with this recommendation and are earnestly striving to eliminate this type of punishment. Some of our girls come to us wholly untrained, unbelievable near the animal stage without the least rudimental knowledge of clean and decent living and with no respect for law and order. We have found that the nearest approach to them is their fear. Then we are able to develop “Pride” and “Self Respect” and make them realize that they must respect some authority or observe some rules of law and order. If not, they will be hurt physically their bodies are the only things they are conscious of, apparently....It has worked so far and we have very little corporal punishment in our school. None of our upper-group girls

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<sup>159</sup> Osborne Association, 284; also quoted in Cole, 158. The Osborne Report also noted that: In answer to a direct question as to what are considered the most serious offenses, the superintendent stated that a “bad attitude” is considered much more serious than any other acts....If [sexual] misconduct is definitely established the offenders are isolated for a period and then given another trial in the dormitory under strict supervision....Punishment for running away is isolation followed by an indefinitely long period in Group Four. Ibid.

<sup>160</sup> Ibid., 290.

ever have to be whipped. We will make an honest effort to eliminate this objectionable feature.<sup>161</sup>

But in May of 1943, a *St. Louis Star-Times* reporter named Richard Everett did an investigative report, which disputed the superintendent's earlier claims that both the "dungeons" and "whipping" were no longer in use. In fact, the paper reported that the dungeons had been used in April of that year to punish inmates who have been lashed numerous times.<sup>162</sup>

On May 11, 1943, an article published in the *St. Louis Star-times* referred to the state's treatment of children at the Tipton School for Negro Girls as "The Terror At Tipton."<sup>163</sup> Another went even further, likening the treatment of these children to *medieval-style* handling of society's worst. The *St. Louis Star-Times* reported on May 10, 1943, that four inmates were punished for a *horrible crime* at the Industrial Home for Negro Girls. According to the newspaper's account, the crime was "stealing toothpaste and running away." The punishment, according to the girls' own testimony, was "100 lashes with a leather strap [and] solitary confinement in a rat-infested dungeon."<sup>164</sup> At the time that these events were unfolding, the Superintendent of the institution, Mrs. Nell McMahon, was hospitalized in St. Louis. Nonetheless, it was chaos at Tipton. Followed by pure terror.

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<sup>161</sup> Ibid.

<sup>162</sup> Richard Everett, "Girl Inmates Lashed, Locked in Dungeons at State Home," *St. Louis Star-Times*, May 10, 1943, 1 and 7.

<sup>163</sup> *St. Louis Star-times*, "The Terror At Tipton," May 11, 1943.

<sup>164</sup> *Ibid.*, May 10, 1943, "Girl Inmates Lashed, Locked In Dungeons At State Home."

Closer scrutiny of the events revealed that on that day, a matron at the Home conducted a search of the girls' rooms to recover soap, toothpaste, and some cigarettes stolen from her. During this process, the fuming matron, probable overworked on that day, unmade the beds in the dormitories. Some of the girls refused to remake the bed. The situation quickly got out of control and the girls were locked in some rooms. The Acting Superintendent, Mrs. Ruth Morne, phoned the Director of Penal Institutions, Lloyd "Boots" Miller, to inform him of the situation. She also asked him to come to Tipton from Jefferson City, to assist her with the situation. The girls became hysterical after learning that the dreadful Lloyd "Boots" Miller was en route. Subsequently, they tried to run away and were caught. Miller then ordered them to be confined in the supposedly out of commissioned "dungeons," until Superintendent McMahon returned to the institution. Six girls were also confined in the "dungeons" after stealing peanut butter, whipped cream and pickles. They were beaten and locked in the "dungeon" and later whipped again and locked in the "dungeon" after they escaped. One of the girls actually got off the premises, but with the institution being located in a remote area, she got scared and returned "Home."

On April 12, 1943, two girls were placed in solitary confinement in the "dungeons." The girls were kept in the "dungeons" until the April 20. They received bread and water twice a day; sometimes a little butter was added. The *St. Louis Star-Times* described the conditions under which the girls were confined as having no sanitary facilities, damp, and infested with snakes, rats, and bugs. A tick blanket covered the floor of the punishment room, but no beds or furniture were given to the

girls. One of the girls used board shelves for a makeshift bed while the other had nothing.<sup>165</sup>

Officials at the Home for Negro Girls claimed that the “dungeons” were used as a temporarily fix for the emergency situation. Mr. William McMahon, who served as manger at Tipton and his wife as superintendent, claimed in the *St. Louis Star-Times* that the girls defied the rules of the institution when they defied the authority of the matrons and staged a riot. He told the newspaper that during this episode, the girls broke windows, doors, chairs, and other property.<sup>166</sup> According to an interview with the Director Miller in *The Call*, a black newspaper in Kansas City, Mr. McMahon claims may have been true. Miller noted that two groups of girls who called themselves the “Termite-Co-eds.,” “threatened matrons with clubs and escaped from the school.” They were captured and placed in solitary confinement in basement. A second group of girls broke out of the basement and “attempted to terrorize the attendants until they were rounded up by armed guards, said Miller. They are now being held under armed guard...”<sup>167</sup> In another interview with the *St. Louis Globe-Democrat*, Mr. McMahon admitted, “unruly inmates may be whipped from ten to thirty strokes depending on the rule infraction.”<sup>168</sup>

The Director of Penal Institutions, Lloyd “Boots” Miller, was a strong advocate of the use of both whipping and the use of the “dungeons” because, as he argued, there were no other strong rooms at the institution. According to *The Call*,

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<sup>165</sup> *Ibid.*, May 10, 1943.

<sup>166</sup> *Ibid.*, May 11, 1943.

<sup>167</sup> *The Call*, “Probe Beating of girls,” May 14, 1943.

<sup>168</sup> *Louis Globe-Democrat*, May 12, 1943.

Miller planned to recommend to Governor Forest Donnell that corporal punishment be continued at the school at Tipton. Miller said “It’s a question of who is to run the institution [the inmates or the officers]. We have extremely difficult cases and I don’t feel that they [the inmates] should be given control of the institution.”<sup>169</sup> Therefore, Miller openly admitted that it was customary practice to whip juvenile delinquents, in order to keep control of the institution at Tipton.

Under such admittance, many Missourians began wondering, again, why the Department of Penal Institution, and to an even greater extent, Miller himself was running these schools. For example, on July 9, 1943, the *St. Louis Star-Times* lamented that the continued presence of the Lloyd “Boots” Miller as Director of the State Penal Board was a disgrace. Mr. Miller was a political appointee of Governor Forest C. Donnell and both men came from Springfield, Missouri. According to the paper, Mr. Miller was not qualified for the job. Therefore, for Governor:

.... Donnell to maintain him in power, in the face of repeated disclosures of his incompetency [sic], is a disgrace to the Governor’s administration. The man is a former Springfield politician and an automobile dealer, who severed a short term as a detective, and who apparently knows of no way to maintain prison “discipline” except the way of brutality.... [the] post should be filled only by a director with high professional qualifications.... Governor Donnell is a man of such high honor that it has been difficult to believe that he would countenance [such incidents] but clearly he does countenance them. Either he is insensitive to brutality and so ill informed that he does not understand the need for competent, civilized, humane prison administration, or he is so self-righteous that he automatically assumes all his appointees are equally endowed with righteousness and good, if weak, intentions.<sup>170</sup>

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<sup>169</sup> *The Call*, May 14, 1943.

<sup>170</sup> The article was referring to the Governors repeated refusal to bring to fruit the findings of Representative O.K. Armstrong and others, including the various papers and civil organizations that repeatedly charged Mr. Miller with incompetence. See the *St. Louis Star-Times*, “Gov. Donnell’s Failure,” July 9, 1943.

The *Springfield Leader and Press* reported on May 11, 1943, that only at the Boonville and Tipton training schools was corporal punishment practiced. The paper notes that at “Boonville boys are whipped only as a last resort and punishment [did] not exceed seven lashes followed by an examination by a physician.” But what is even more surprising is that, at the Chillicothe facility for white girls, there was no concern for the girls taking over the institution. As a result, a kind of constructive disciplinary tactic was preferred to the sort of corrective disciplinary methods practiced at the other two training schools. At this institution, they followed the merit system very closely. According to the *Springfield Leader and Press*, Chillicothe “inmates [were] punished...by losing entertainment privileges or ...solitary confinement in the inmate’s own room.”<sup>171</sup>

Why this system was followed so closely at Chillicothe and not at Tipton, was not really clear to many Missourians at the time. If it was good for one training school, it should have been good for all. Vivian E. Saunders argued in a letter<sup>172</sup> printed by the *St.*

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<sup>171</sup> *The Springfield Leader and Press*, May 11, 1943, “Donnell Told Of Whippings.”

<sup>172</sup> The following is a full account of letter:

I am interested in the recent discussion of the uses of corporal punishment at the Industrial Home for Negro Girls at Tipton, Missouri. I can appreciate the feeling[s] of those who declared that the present system of punishment is proper and necessary in order to maintain discipline.

However, I disagree with this declaration because I know that there are correctional institutions in the country which maintain discipline of delinquent Negro girls without a policy of corporal punishment. Notable examples of these are Sleighton Farm School for Girls in Pennsylvania, the Industrial School for Colored Girls in Delaware and Long Lane Farm in Connecticut. I doubt that delinquent Negro girls in Missouri are more difficult to handle than those in other states.

Most significant in all of the discussion is the statement that: “It is a question of whether the people in charge run the institution or turn it over to the inmates.” Delinquent Negro girls no less than any other young Americans respond to being put on their “honor.” The student-government system at Sleighton Farm in Pennsylvania has worked just as successful in the Negro cottages as else where on the farm. “Delinquent inmates” often have qualities of real leadership which need redirection into socially acceptable channels.

To suppress these leadership potentialities by lashing the girls and putting them into solitary confinement does harm rather than good because it stores up aggressions which will be released as soon as the girls get on parole. Starting a student government at Tipton might be the answer. It would give the girls a real opportunity to become good inmates and later good citizens.

*Louis Post-Dispatch*, on May 17, 1943 that, if Missourians wanted to, they could have implemented alternative means of correcting the inmates' behavior at Tipton and without losing control of the institution. For example, she pointed to several examples of states like New York, Pennsylvanian, Delaware, and New Jersey that abolished corporal punishment within their reformatories without compromising its control over their institutions. In regard to Director Miller's statement that: "It is a question of whether the people in charge run the institution or turn it over to the inmates," Saunders argued that "Delinquent Negro girls no less than any other young Americans respond to being put on their 'honor'." As example, she pointed to the student-government system at Sleighton Farm in Pennsylvania, which she contended, "worked just as successful in the Negro cottages as else where on the farm." In following the original progressive ideals of nineteenth century "Child Savers," Saunders concluded that:

To suppress...leadership potentialities by lashing the girls and putting them into solitary confinement does harm rather than good because it stores up aggressions which will be released as soon as the girls get on parole. Starting a student government at Tipton might be the answer. It would give the girls a real opportunity to become good inmates and later good citizens.

After all, the primary objective of any correctional school is not to punish, but to correct anti-social attitudes, to redirect individual strengths into new modes of expressions, and to give the youngsters a chance to develop new personalities which will be satisfactory to themselves and acceptable to society. It can be done!<sup>173</sup>

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See Forest C. Donnell Papers, Vol. 26; *St. Louis Post-Dispatch*, May 17, 1943, "How Other States Maintain Discipline."

<sup>173</sup> Ibid.

After media reports exposed the cruelty associated with the practice of physical abuse at Tipton, many Missourians made an effort to reform the state's penal system. Their efforts, however, were blocked by self-serving politicians in the both chambers of the state Assembly and from both political parties. These elected officials considered any reform to the state's penal system a threat to their interests. The political *spoils system* of the period allowed whichever political party that controlled the state's executive office to reward its supporters with hundreds of jobs, mainly at the expense of the education and welfare of the incarcerated youths.<sup>174</sup> According to Nancy Cole, "the control by the Governor over the State Industrial Home for Negro Girls had the most disastrous results throughout its history." She further notes, "[a]lmost without exception appointments were apparently made solely on the basis of political loyalty."<sup>175</sup>

Thus, the problem at Tipton was not a matter of "who would run the institution" as Miller had suggested: it was a political problem that only the state government could have corrected. During early 1940s, under the governorship of Forest C. Donnell, a Republican of Springfield, it was reported that Missouri was considered to be the most backward of all the states in terms of its approach to corrective treatment and methods of punishment. And indeed, a report surfaced in the summer of 1943 that the conditions of most of the state penal facilities were in gross need of repairs and that the rehabilitation and educational component of the state's penal institutions were severely handicapped by a lack of appropriation from the legislature, an over emphasis

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<sup>174</sup> St. Louis Globe-Democrat, "Political Benefits First in Missouri Legislature," May 16, 1943.

<sup>175</sup> Nancy Cole, 30.

on the most inhumane methods of punishment, and an indifference to the needs of the youths by unskilled employees.<sup>176</sup>

Representative O.K. Armstrong, a Republican from Springfield, conducted an investigation of the conditions at Tipton, and submitted a report to the state Assembly and the Governor on May 24, 1943. In the report, Armstrong described the punishment techniques at Tipton as “brutal, unnecessary, and certainly ineffective.” He further charged that there existed “unspeakable vice” within the states penal system and the state’s practice of corporal punishment was “little above medieval torture chambers.” The “spoils system” he noted, “absolutely prevents a trained, qualified personnel” from bring the state’s penal system up from being the “worst in the United States.” He, along with some members of the House, requested that a committee be formed to further investigate the condition with the state’s entire penal system, but their efforts were also stalled by legislature.<sup>177</sup> Armstrong’s request for a legislative hearing was also shoved aside by his fellow legislatures on the House Committee on Penal Institutions. This committee also refused to permit the printing of Mr. Armstrong’s report, containing the charges of “brutality” in the State’s penal institutions, for all the House members’ information.<sup>178</sup>

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<sup>176</sup> *St. Louis Star-times*, “Missouri Stands Ashamed,” May 26, 1943.

<sup>177</sup> *Ibid.*, “Penal Report Charged Fraud, Brutality, Vice: Rep. Armstrong Says Punishment is Little Above Medieval Torture,” May 25, 1943; *Ibid.*, “Penal Probe Killed,” May 27, 1943; *Jefferson City Post-Tribune*, “Prison Probe Not Warranted By Findings,” May 27, 1943; Armstrong’s investigative report to Governor Forest C. Donnell and the General Assembly, Donnell papers, Western Historical Manuscript Collection – Columbia, Missouri, folder 6626.

<sup>178</sup> *St. Louis Star-Times*, “Donnell Plans to Investigate Prison Charges,” May 28, 1943; see Donnell Papers, Vol. 26.

The Legislature declined to probe the state's penal system. Yet, with some urging from Representative Armstrong, the Governor decided to conduct his own hearings from July 7- 8, 1943. At the conclusion of two days of testimony from inmates and employees of Missouri's corrections facilities, the general agreement was that, "the selection of employees, based on a philosophy of obtaining the most qualified individuals, according to that person's abilities to perform his/her job related tasks, would produce better results: efficiency and, in terms of the state training schools, the level of rehabilitative training would improve."<sup>179</sup> Indeed, the *St. Louis Post-Dispatch* published an article during 1942, which states that, "the tendency to appoint officials and employees to the state penal institutions as a political reward has placed many poorly qualified persons in teaching positions and other places of authority."<sup>180</sup>

In a letter to the Governor written by Clyde M. Stephens, dated May 7, 1943, he wrote that:

It is recognized that a higher type of staff personnel is required in order to operate an institution without corporal punishment and the greatest obstacle to its abolition is the difficulty of securing budgets large enough to procure such personnel. In other words, [he argues that] society and its budget-making officials compel the retention of corporal punishment because it is cheap – even though it is inefficient.<sup>181</sup>

He further noted that he noticed a more "wholesome attitude on the part of the inmate[s]...." since the abolition of corporal punishment in October of 1942 at the Intermediate Reformatory for Young Men, where he was the superintendent at the

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<sup>179</sup> Governor Forest C. Donnell papers, Western Historical Manuscript Collection – Columbia, Missouri, folder 6626, *State of Missouri Investigation of Penal Institution*, Governor Forest C. Donnell presided, June 8, 1943, 19.

<sup>180</sup> *St. Louis Post-Dispatch*, March 27, 1942

<sup>181</sup> *Ibid.*

time. Yet corporal punishment was allowed to continue at Tipton after other institutions had abolished the practice.

Governor Donnell had proposed legislation as part of his program to supplant the *spoils system* in State Government with a system based on merit and economic administration a year before the scandals at Tipton became public. State employees would be hired and retained based on the merit of their skills. But all efforts to pass the bill were defeated. It could not even get out of committee. In fact, even within his own party, there was very little support for the governor's bill in state legislature. The abuses at Tipton, and at other penal institutions throughout the state, during the spring and summer of 1943, presented Governor Donnell with another opportunity to press the issue once more. As a result, the Governor quickly reintroduced his merit bill to legislature again. In a number of public speeches to business organizations and a formal appeal to the Legislature to enact his merit bill into law, he touted his program as a possible solution to the problems of state's penal system.

The *Jefferson City Post-Tribune* also printed an article, which notes that, the "bill would have removed 10,000 state employees from political patronage."<sup>182</sup> Indeed, such a huge overhaul of State Government would have brought in some much needed improvements to the quality of the staff at the state's penal institutions. But it would have also affected some major political figures – specifically their ability to reward their supporters with thousands of jobs.

Naturally, the Governor's proposal received stiff opposition from law makers. From the beginning he encountered the opposition of State Auditor Forest Smith, who

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<sup>182</sup> *Jefferson City Post-Tribune*, "Governor's Merit Bill Will Not Be Revived Solon Says," May 30, 1943.

would have lost the patronage jobs of the huge sales and income tax departments. Similarly, Secretary of State Dwight H. Brown, who would have lost the patronage of the automobile and driver's licenses departments, as well as many of Donnell's own political appointees who headed various departments, vigorously opposed his program.

Regardless, the Governor was confident that with events at Tipton still fresh on everyone's minds, legislators would consider the interest of the youths in the state's custody above their own. Needless to say, Governor Donnell's assessment was wrong. On June 6, 1943, the *St. Louis Post-Dispatch* reported in an article entitled "Gravy Politicians Defeat Donnell in Legislature," that his measure was delivered its "final death blow" in the Senate. According to the article, the measure was killed by "more and ticker gravy" politicians. Once again, even members of the governor's own Republican Party sided with Democrats to kill the governor's bill.

The bill had no chance of passage at any time. For example, in the Judiciary Committee, where Republicans dominated by a ratio of nearly two to one, the bill was rejected by a vote of seventeen to six in a secret meeting. In a twelve to ten vote later that same day, the committee also rejected a diluted version of merit bill, offered by Representative Armstrong, who Governor Donnell had hand picked to push his bill through the General Assembly. Similarly, when an effort was made in the House to put the latter water down version on the calendar, only twelve of the ninety-five House Republicans supported the move.<sup>183</sup> Such actions by law makers demonstrate that they

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<sup>183</sup> *St. Louis Post-Dispatch*, "Gravy Politicians Defeat Donnell in Legislature," June 6, 1943

were more deeply interested in providing a multitude of jobs to meet their personal and party obligations, than to protecting delinquent children.

Though it is clear that some legislatures were passionately concerned with the rehabilitation and welfare of Missouri's incarcerated juvenile delinquents, it is also obvious they represented a tiny minority. Or, they simply exhibited no ability to deliver the hard punches necessary to produce any meaningful changes to Missouri's delinquent programs. For instance, in response to the institutional failures reported at Tipton, House Bill No. 382 was presented in 1943 to the Sixty-Second General Assembly, by Mrs. Elsie H. Langsdorf, a State Representative from St. Louis. The bill called for the dissolution of the Department of Penal Institutions and a Department of Corrections to replace it. One provision of the bill specifically addressed the kinds of punishment techniques used at Tipton. It stated that:

[C]ruel or unusual punishments shall not be administered in any correctional institutions in this state. In the case of correctional training schools, solitary confinement shall not be administered for a longer period than seven days without express authority of rules and regulations of the commissioner, and there shall be daily examinations of an inmate so confined, by a competent physician.<sup>184</sup>

However, after a bitter struggle in the Legislature, like so many other bills before it, House Bill No. 382 was also killed in the Senate. After it passed in the House, the Senate Committee on Retrenchment, Reform, Abolition, Creation, and Consolidation of Boards, Bureaus and Commissions recommended that it be killed. It appears that the decision to have the bill shoved under the carpet was due to political pressure from Lieutenant Governor Frank Harris' office. Harris was a member of the

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<sup>184</sup> House Bill No. 383, *House and Senate Journals, Sixty-Second General Assembly, 1943*.

State Board of Pardon and Paroles; this bill would have taken that job from him. Indeed, the *Cape Girardeau Southeast Missourian* later reported that the reason the bill was defeated is because it came under immense political pressure from the Lieutenant Governor's office. According to the papers, after being adopted by the House, "the Bill would have been adopted by the Senate, too, but the Committee handling it felt under obligation to Lieutenant Governor Harris and his plea to let him hold his parole job until his term end[ed] was so pathetic that the members could not do otherwise."<sup>185</sup> The new department would have taken over the responsibilities of the Board of Pardon and Paroles. But Mr. Harris would have lost the political influence he had on the board. So, once again, the interest of the youths and the state suffered for the purpose of maintaining a broken system.

The institution at Tipton and the state penitentiary had two very different purposes. The former was established with the purpose of teaching and training youths and the later was created for the sole purpose of punishing – and by the mid-1940s it had already developed a history of setting brutal standards of punishment.<sup>186</sup> Yet, state leader allowed both different types of institutions to remain under Department of Penal Institutions. Consequently, just as the state penitentiary, corporal punishment became its main method of curbing behavior at the State Industrial Home for Negro Girls. The irony of such policy is that it contradicts the original goals "Child Savers" had for juvenile delinquent reform.

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<sup>185</sup> *Cape Girardeau Southeast Missourian*, July 6, 1943; Nancy E. Cole, also quotes this article, 62.

<sup>186</sup> Mark S. Schreiber and Laura Burkhardt Moeller (Missouri Department of Corrections), *Somewhere In Time: 170 Years History Of Missouri Corrections*, (Marceline, Missouri: Walsworth Publishing Company, 2004), 1-35.

Progressive-era reformers promoted Juvenile Courts, industrial training schools, and other kinds of reform institutions as means through which delinquent youths could escape the harsh realities of living in industrial cities and adult prisons. After leaving these institutions, reform youths would have had the benefit of learning a marketable skill and the experience of living in a loving home away from all the evils of an industrial city. Off course, as the experiences of delinquents at Tipton illustrate, that was not always the case. The so-called “Home” at Tipton, which employed abusive guards to treated African American juvenile delinquents girls as hardened criminals, was a government-operated prison.

These institutions have not produced the results progressive “Child Savers” had hoped. Neither have they proven to be the solution to the juvenile delinquency problem. In stead, they themselves are part of the problem. In fact, rather than alleviating the pain and sufferings of children, the juvenile justice system has become the legal channel through which the abuse and exploitation of children continue to take place. Progressive institutions of the early twentieth-century have also provided the means by which a legalized form of racial conquest, and the tacit practice of separating black youths from society take place.

## Conclusion

### The Evolution of Oppression

Late nineteenth-century reformers viewed child welfare services as central to the future of a healthy and productive American society. In the case of juvenile delinquents, the progressive child saving agenda sought to develop a more humane and effective program to rehabilitate young offenders. The State and its employees would serve as surrogate parents. This view helped to accelerate the establishment of State operated juvenile courts and reformatories without considering the means to equip the right individuals with the necessary tools to rehabilitate children. Indeed, reformers heralded State operated reformatories as the most effective way to save young offenders. But most of all, children would finally be safe in institutions that would mimic the ideal “home” and provide neglected urban youths with loving and caring parents.<sup>187</sup>

Reformers, consequently, introduced new and innovative approaches to crime and punishment at the end of the nineteenth century. The reforms gave penologists new tools for sentencing, such as indeterminate sentences and probation and parole, and special programs for first time and youth offenders. Other areas of reform included alternatives to corporal punishment with the introduction of rehabilitative treatment and education. In addition, reformers campaigned for an end to the commonly accepted practice of exploiting inmates’ labor by contracting them out to manufacturing companies.

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<sup>187</sup> See Muraskin, *Missouri Politics During The Progressive Ear*; Rothman, *Conscience and Convenience* and Platt, *The Child Savers*.

During this same period, many advances in prison administration were also made. As Sally M. Miller notes, “patronage appointments were discontinued and central prison boards to manage penal institutions became the norm.”<sup>188</sup> However, in the case of Missouri, many of these innovative and progressive reforms took a much longer time to be realized. Well into the mid-twentieth century, political patronage and corporal punishment were still present in Missouri’s penal institutions.

As this thesis illustrates, physical abuse and institutional racism were common in Missouri’s juvenile delinquent institutions. Yet, state officials were reluctant to take the necessary steps to correct these problems. These very issues affected the State Industrial Home for Negro Girls’ ability to rehabilitate Missouri’s African American delinquent girls for much of the twentieth century. Thus, public officials’ failure to proceed with enthusiasm to correct the many problems that affected Missouri’s juvenile delinquent institutions defeated the intended purpose of establishing training schools. For instance, it is logical to believe that the job of correctional facilities is the rehabilitation of inmates and to ensure the protection of people who are in their care, especially the weak. But it was the weak that were apparently subjected to the most severe abuses – young delinquent girls who were serving time for non-violent offenses. What is even worse is the failure of the legislatures to provide the basic financial resources and legal support for training school officials to carry out their duties. From 1917 to the mid-1940s, Missouri legislators consistently ignored calls for progressive penal reform. Instead, they kept the political *spoils system* intact.

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<sup>188</sup> Sally M. Miller, “Through Dungeons Dark: The Story of Kate Richards O’Hare,” *Gateway Heritage* 13.4 (Spring, 1993), 58-67, 60.

The progressive “Child Savers” dream was to develop ideal “Homes” for delinquent rehabilitation and industrial education. Under a penal system severely handicapped by partisan politics and racial barriers, such dreams were quickly replaced with a prison-like environment. For example, in a report issued in February 1951, the Missouri Association for Social Welfare (MASW) recommended that black boys at the State Industrial Training School for Boys at Boonville “should eat with the white boys in the same dining hall rather than in a separate isolated unit....” The report also noted that they should “...share in all the programs provided for white boys. Specifically they should have the same access to vocational training opportunities as white boys.”<sup>189</sup> While at the State Industrial Home for Negro Girls at Tipton, the organization’s report notes that Tipton possessed no social services made available to the children, no adequate recreational facilities provided, and there was no formal attempt to explore the causes of delinquency as an aid to rehabilitation. By and large, the State Industrial Home for Girls (white) at Chillicothe was another story. The Tipton and Chillicothe reformatories were separate, but a 1943 study of the two institutions found that “they were not equal.”<sup>190</sup>

The Home for Negro Girls at Tipton failed to fulfill its original purpose because it suffered from a number of problems. Chief among them was the practice of political appointments based upon patronage. That practice allowed unqualified individuals, who did not necessarily have the interest of the youths at heart, to run the institution. Tipton also suffered from a shortage of quality staff – a direct result of the lower

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<sup>189</sup> Missouri Association for Social Welfare, *Missouri’s Three Training Schools: Report and Recommendation, No.2* (Jefferson City: February 1951), 16.

<sup>190</sup> Abrams, 104.

wages received there when compared to Chillicothe. The issues of racial prejudice and physical isolation from any sizable black community also contributed to the failures at Tipton. State officials thought, for example, that blacks at Tipton did not deserve equal pay for performing the same tasks as whites at Chillicothe. In addition, the remote location of the institution made it near impossible to get qualified individuals to seek employment at the “Home” and for supplies to reach the school.<sup>191</sup>

From the time of its establishment, the school experienced a history of meager appropriations from state legislatures. So much so, that on one occasion, the school even had to slaughter its only milk cows to provide meat for the girls to eat because of a lack of financial support. Yet in 1943, for instance, the governor vetoed an appropriation of about \$5,000 for Tipton. He justified his action by pointing out that the amount exceeded the school’s needs by \$4,297.<sup>192</sup> In May of 1943, the *St. Louis Star-Times* quoted Miss Coral Bates, the Executive Secretary of the Missouri Welfare League who argued that, “Tipton needs an increased appropriation for higher salaries and a larger staff....The extremely low salaries result in frequent changes in the staff. Obviously, this institution needs a larger staff and higher salaries, and needs them desperately.”<sup>193</sup> Chillicothe on the other hand, had no such worries. The *St. Joseph News-Press* published an article that states, “while other state penal...institutions are

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<sup>191</sup> See Jonan Haskell, 162.

<sup>192</sup> See *Ibid.*, chapters six and seven; Abrams, 106; see Act of March 28, 1941, *Missouri Laws* 60, 1941, 78.

<sup>193</sup> *St. Louis Star-Times*, May 13, 1943, “Whipping Called a Sign of a Backward Training School.” (The article was quoting Miss Coral Bates, who was the Executive Secretary of the Missouri Welfare League).

threatening to exhaust their funds before the year is over, the home at Chillicothe isn't bothered with such worries."<sup>194</sup>

The reformatory at Chillicothe was located in a residential area of the city. It had its own hospital that the federal Prison Industries Reorganization Administration, in a 1937 study, found to be "probably the finest and most adequately equipped of its kind in the United States."<sup>195</sup> The school also generated its own electricity and had a surplus of food where "each girl could have as much food as she wished." The girls received a daily serving of food, which included hot cereal for breakfast, three-quarters of a quart of milk per girl, meat at least once a day, fruits and vegetables, and a sweet dessert at least once a day.<sup>196</sup> The conditions at Tipton were worlds apart from those at Chillicothe. Tipton was isolated from any residential area, and, unlike Chillicothe, was not connected to any city sewage or water lines. Consequently, the school at Tipton had little meat, milk, or fresh vegetables and fruits. One reason for this discrepancy, according to the Missouri Prison Board was that the Tipton school was located on "very poor land." In fact, the Board noted that it was "a mistake" to locate the institution in the area it was located.<sup>197</sup>

Elected officials neglected the needs the Industrial Home for Negro Girls, which led to the abuse and mistreatment of inmates. One reason for this was that, in the early twentieth-century, many white Missourians embraced the widely accepted notion of

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<sup>194</sup> *St. Joseph News-Press*, "Girls Industrial Home Is Losing Much of Drabness" September 27, 1942.

<sup>195</sup> Quoted in Abrams, 103.

<sup>196</sup> Jonan Haskell, *Institutional Treatment OF Delinquent Girls in Missouri*, 123-124 and Abrams, *Avery Special Place in life*, 104-105.

<sup>197</sup> *Report of the Missouri State Prison Board, 1917-1918*, 11. (Presented to the, Fiftieth General Assembly).

blacks' inherent racial inferiority. Therefore, when black youths were incarcerated, criminal justice officials did not care for them in as much the same way they did for whites. Instead, penal official found it to be what David J. Rothman describes as a "convenience"<sup>198</sup> to mistreat inmates.

What this thesis demonstrates, is that, during the era of the training schools, Missouri's state operated juvenile delinquent institutions developed a reputation for their repressive treatment of juvenile delinquents. The period from 1888 to 1960 further demonstrates that white Missourians' racial attitudes toward African Americans, the political "spoils system," and the incompetence of penal officials, impaired the rehabilitation of African American delinquent girls at the State Industrial Home for Negro Girls.

Missouri's traditional racial attitudes affected the way state officials tended to view the welfare of young black delinquent girls because they were black – not white. Therefore, it was not worthwhile to furnish them the same resources as whites. After the abuses at Tipton became known, the suggestion was made on several occasions to transfer the girls at Tipton to Chillicothe. But once again, the state legislature did not agree with the possibility of having black girls mingling with white girls – not even on segregated basis. Moreover, in 1945, Senator David Hess of St. Louis introduced a bill to have the girls at Tipton transferred to Chillicothe. The bill would have also turned Tipton into a prison for female prisoners, who were at that time housed at the Penitentiary in Jefferson City. Senator Jasper Smith of Springfield, who argued that it did not provide for separate housing so that the races could be segregated, opposed the

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<sup>198</sup> David J. Rothman, *Conscience and Convenience*

measure. The bill would suffer its final blow when Governor Forest Smith declared in a news conference that the plan was too costly and was "...neither an emergency nor a necessity."<sup>199</sup> However, following the 1954 Brown decision, handed down by the United States Supreme Court, the two institutions were combined in 1956. And by 1960, the facilities at Tipton were converted into a women's prison. Still, the historical difficulties African American youths have faced within this state's corrections system have not disappeared.

Despite the historic institutional failures and abuses black adolescents have endured throughout the nineteenth and twentieth centuries, elected officials failed to put in place the necessary changes to dramatically change institutional racism and abuse, in Missouri's juvenile delinquent institutions. Since the 1940s and 1950s, the welfare of African American delinquent youths within Missouri's correctional system has changed significantly. One example is that there are less reports of physical abuse than during the mid-1940s. Nonetheless, institutional racism remains, albeit less obvious to the public's view.

Ironically, Missouri is seen today as a leader in juvenile justice and delinquent reform. Many states now look to Missouri as a "model state" as they try to generate positive returns on the hundred of millions of dollars spent over the last century on the juvenile delinquency problem. Most states have seen very little or no results at all. Since the training schools at Boonville and at Chillicothe were closed in 1983, Missouri has experienced a drop in its recidivist rate and other noticeable results stemming from the Missouri Department of Youth Services (DYS) "community base"

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<sup>199</sup> Laurie A. Stout and Mark S. Schreiber, *Somewhere In Time: A 160 Year History of Missouri Corrections*, (Jefferson City: Missouri Department Of Corrections, 1991), 89-90.

approach to delinquent reform.<sup>200</sup> Yet minority youths are still being treated much harsher than whites. Black adolescents are being incarcerated for violations that whites are not. Still, with all these statistics revealing race discrimination, the state is a considered a model to the rest of the nation.

According to the Family Court of St. Louis County and the Missouri Association for Juvenile Justice, “67 % of the adolescents admitted to the St. Louis County’s Juvenile Detention Center in any year are African American,” but “only 24 % of youth ages 10-16 in St. Louis County are African American.” Likewise, a nationwide study done by the National Council on Crime and Delinquency found that “when charged with comparable crimes” at all levels of the juvenile justice system, African American youth are treated more harshly than their white counterparts. In fact, African American youth with no prior violations were six times more likely than their whites to be incarcerated for similar offenses.<sup>201</sup>

Also, in its 2005 report, Amnesty International USA also found that “Missouri has a ratio of 7.9 black youths for every white youth sentenced to life without parole, giving it the 16th highest black white ratio out of 27 states,” it studied. The report also notes that, “Missouri has 35.13 per 100,000 14-17 year olds serving life without parole

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<sup>200</sup> Mark D. Steward and Amanda Andrade, “The Missouri Division of Youth Services” Innovative Approach to Juvenile Corrections Staffing” (*Corrections Today*, August 2004).

<sup>200</sup> Dick Mendel, “Small is Beautiful: Missouri’s Division of Youth Services,” (*AdvoCasey*, Spring edition 2003). This article is also available at [www. Aecf.org/publications/advocasey/spring2003](http://www.Aecf.org/publications/advocasey/spring2003).

<sup>201</sup> For facts on the JMOP, contact the Family Court of St. Louis County at (314) 615-4400; brochure provided by the Family Court of St. Louis County and the Missouri Association for Juvenile Justice; Information was secured from an informational pamphlet provided by the Juvenile Minority Overrepresentation Project of the Family Court of St. Louis County, Missouri.

sentences ranking it 6th out of the 40 states covered.”<sup>202</sup> Although these statistics are surprising, this is not a recent phenomenon. Regrettably, since the creation of the juvenile justice system at the end of the nineteenth-century, the nation’s record on delinquent reform has been a total failure. Likewise, there is a history of inhumane treatment, physical abuse, and disregard for African American delinquent youths’ civil and human rights. When it comes to the treatment of African American youths, Missouri’s record, too, reveals a history of failure. Likewise, the harshness with which the juvenile justice system treats youth of African American heritage has negatively impacted not just the individual black youth, but also the African American community as a whole.

Save for some major events, such as Rodney King beating and the Los Angeles race riot of the early 1990s, the issues of social justice and racial inequalities have received very little consideration from most Americans. But, since hurricane Katrina devastated New Orleans, Louisiana, in 2005, Americans are more attentive to these issues. Yet throughout America’s history, people of color have been treated much harsher than their white counterparts. Americans do not have to look further than the persistent inequalities faced by black youths within the juvenile justice system as compared to white adolescent youths.

The physical abuse and disproportionate confinement of black youths in our correctional system is one of the most legalized forms of social and racial injustice in America today. Yet these problems have been vastly overlooked, and will unfortunately continue, unless the public is educated on the historical foundation of

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<sup>202</sup> Amnesty International USA Report, *The Rest of Their Lives: Life Without Parole for Child Offenders in the United States* (2005).

these biases, and their continued impact on our youths. The progressive society, where all citizens are treated equally, is not yet a reality for black youths within the juvenile and criminal justice systems.

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