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THE TEXAS REFORMATORY SYSTEM WITH EMPHASIS  
ON THE GATESVILLE SCHOOL FOR BOYS

THESIS

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Texas State Teachers College in Partial  
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## TABLE OF CONTENTS

|   | Page |
|---|------|
| Chapter   |      |
| I. THE JUVENILE REFORMATORY PROBLEM. . . . .                          | 1    |
| In General  |      |
| In Texas  |      |
| II. THE PHYSICAL PLANT OF THE GATESVILLE SCHOOL<br>FOR BOYS . . . . . | 9    |
| Admission Procedure   |      |
| Location and Size   |      |
| General Appearance  |      |
| III. THE OPERATION AND FINANCING OF THE<br>GATESVILLE SCHOOL. . . . . | 29   |
| Personnel   |      |
| Health and Sanitation   |      |
| Education   |      |
| Discipline  |      |
| Psychological Description of Boys                                     |      |
| State Appropriations  |      |
| IV. PUBLIC OPINION AND THE GATESVILLE SCHOOL. .                       | 51   |
| Recommendations for Administrative Changes                            |      |
| Letters and News Items  |      |
| V. STATE EFFORTS TOWARD IMPROVING THE<br>REFORMATORY SYSTEM . . . . . | 61   |
| Legislative Investigating Committee                                   |      |
| The Texas State Training School Code Commission                       |      |
| VI. RECOMMENDATIONS . . . . .   | 72   |
| The State   |      |
| The Courts  |      |
| Operation of the Gatesville School                                    |      |
| Society   |      |
| BIBLIOGRAPHY . . . . .  | 89   |

## CHAPTER I

### THE JUVENILE REFORMATORY PROBLEM

#### In General

At least one state function is handled differently in most all of the forty-eight sovereign states. This function is that of juvenile control, or the care of juvenile delinquents. The states vary a great deal in their methods of combating juvenile delinquency and in the operation of their reformatories, and most of these systems are in crying need of reform. Many are the forgotten chore of state administrators, and others are the thorn in the side of the state's political administration. The latter is the case in the state of Texas.

In the past five years, due to the increasing crime rate and the high number of juvenile offenders, the locality, the state, and the nation have become more and more conscious of the fact that corrective measures are badly needed to curb this criminal influx. Improved methods of training in our reformatories and prisons have been found to be essential in most cases, and some states have already acted on this need. California, Minnesota, Wisconsin and Massachusetts have all adopted new programs to handle juvenile delinquents, and these states have based their programs on the Youth Correction

Authority Plan, which was sponsored by the American Law Institute.<sup>1</sup>

Massachusetts was one of the first states to act on needed juvenile reform measures. This state adopted, with a few variations, the above mentioned Plan, which has been described as "relating to the care and protection of wayward and delinquent children and juvenile offenders, and to the reduction and prevention of delinquency and crime, including sex crimes, among juveniles."<sup>2</sup> A state board, known as the Youth Service Board, was created. It serves under the Governor and is subject to such supervision as he thinks necessary. The Board consists of three members who serve three, four, and five years respectively. The Governor designates one of the three as chairman of the Board. All members must have had training in law, medicine, education, the handling of juvenile offenders, social work, or in the planning of programs for prevention of delinquency and crime. The members devote full time to their work. This provision takes the matter out of the realm of being an ex officio duty of some state board or agency that has numerous other jobs to perform for the state.

The salary is attractive enough to draw capable, well-educated men to these positions. The chairman is paid \$9,000 annually, and the other members receive \$8,000.00. In addition

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<sup>1</sup>John R. Ellingston, speech before the Texas Training School Code Commission, in the Senate Chamber at Austin, Texas, November 13, 1947.

<sup>2</sup>American Law Institute, Massachusetts Law, Delinquency, p. 20.

to the salary the members are reimbursed for any expenses necessarily incurred while they are acting in their official capacity for the state.

The duties of the Board are as follows: (1) to devise constructive programs toward reducing crime and delinquency; (2) to assist local authorities in this type of activity; (3) to serve as the correctional agency of the state in handling delinquents and habitual truants; (4) to serve as trustees of funds and property and as guardians of the children; and (5) to supervise employment for the state's institutions.

The method of appointing the members of the Youth Service Board is as follows: the Governor appoints a committee of fifteen influential citizens; these people are well-known in their communities and recognized for their interest in youth. This committee then nominates members for the Board. The Governor selects the members from the nominees submitted by this committee. The Senate then confirms. In addition to naming potential members for the Youth Service Board the committee acts in an advisory capacity to it.

The Massachusetts plan defines a delinquent child as one between seven and seventeen years of age who violates any city ordinance or town by-law or commits an offense not punishable by death. Offenders under the act are committed to the Youth Service Board, and not a jail or house of correction. The Board provides foster homes if such can be found. This is quite difficult as few families care to take a delinquent child into their home and bestow the care and treatment familiar

to the members of their household upon this child. If a foster home is not available, and confinement is necessary before taking the offender to the state's institution, the child must be kept in a place separate and apart from all other persons committed thereto who are seventeen years of age or older. They are not at any time permitted to associate or communicate with any such person, except when attending religious exercises, recreational activities, or in receiving medical attention.

The Youth Service Board has control of the land and buildings of all the state's schools. It appoints the superintendent and other officials of the schools, establishes the rules, regulations, and by-laws for these institutions, and is directly responsible to the Governor for the administration of all school activities. The superintendents of the schools are required to give bond for faithful performance of duties. This is one method by which the state administers official discipline.<sup>3</sup>

The state of California now uses the Bristol system. There are four different schools under this method of training. One is primarily for the purpose of taking the children out of their environment; that is, it removes them from their home influences. The second school is not penal in structure,

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<sup>3</sup>American Law Institute, Massachusetts Law, Delinquency, p. 20.

but is one where the delinquents are watched and supervised closely. The third one is an industrial training school which is operated under quite rigid restrictions, and the fourth is much like a prison, where guns and armed guards are used. Illinois has a similar classification, though not as extensive as that of California.

In the latter state the child is under the Youth Authority, much the same as in Massachusetts. The judge ruling on the case has no jurisdiction over the child after once referring the offender to the Authority.<sup>4</sup> After the Authority takes the case a thirty-day analysis is made of the child by a psychologist. He then is referred to whatever division will improve him the most. On rare occasions he is returned to society.<sup>5</sup>

Most of the states have done little to improve the existing conditions of their juvenile institutions. This does not mean that there is no national pattern for the care of youthful offenders. Many boys in their teens do a lot of traveling around after they have been committed to and have served a sentence in some state reformatory. Hundreds serve time in the reform schools of several states before they terminate

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<sup>4</sup>Letter from Hall Logan, Chairman, State Board of Control, to the Texas Training School Code Commission, dated November 8, 1947.

<sup>5</sup>Letter from Hall Logan, Chairman, State Board of Control, to the Texas Training School Code Commission, dated November 8, 1947.

their youthful careers in a state or federal prison. They are thus treated differently and undergo varied training programs in the several institutions in which they are confined. This serves to confuse rather than to reform them.

The main difference in the state programs lies in the amount of money appropriated for the use and operation of the schools. It is difficult for the legislatures of many states to appropriate sufficient funds for this purpose. This is particularly occasioned by lack of knowledge concerning actual costs per capita and by the indifference of the general public. The 'actual cost per capita' means that portion of the fund that is spent in the care and supervision, training, and attempted reform of each offender over a year's period.

In 1947 the need for more efficient juvenile reform programs was made known to the readers of the nation by a news publication which quoted a message from the President of the United States. In this he requested that all state officials strive for better control and education of delinquent children. This advice from the Chief Executive was instrumental in exciting the citizenry in some localities. There was at least enough agitation to force state bodies to begin taking some form of action.

#### In Texas

In the state of Texas this increased interest led eventually to the appointment of the Texas State Training School Code Commission, whose activities and findings will be discussed in detail in a later chapter.



The original appropriation bill for the Texas boys' reformatory was passed on January 31, 1897. This act set up the Texas State Training School for Boys which is now located at Gatesville, Texas. The Texas School for dependent and delinquent girls was established by legislative act in 1907.<sup>6</sup> The School for delinquent Negro girls, which was established by legislative act in 1945, is still in the process of having the beginning difficulties ironed out.<sup>7</sup>

In Texas the State Board of Control and the superintendents of the various institutions are responsible for the physical, mental and moral development of the inmates of each school. Each delinquent is given a definite amount of academic work plus training in some useful occupation, and is given also as much moral training and discipline as he is capable of receiving.<sup>8</sup>

The superintendent of each training school in the state "shall be a man of high moral character, education and training, and shall have had experience in handling wayward boys. He shall take the official oath and shall give a sufficient bond in the sum of ten thousand dollars payable to the Governor or his successors in office, conditioned for the faithful

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<sup>6</sup>Vernon's Texas Statutes, 1936, Title 82, Art. 5132.

<sup>7</sup>Vernon's Texas Statutes, 1946 Supplement.

<sup>8</sup>Vernon's Texas Statutes, 1936, Title 82, Art. 5119.

performance of the duties of his office. Such bond shall be approved by the Secretary of State."<sup>9</sup>

The supervision and administration of all the Texas reform schools comes under the Board of Control, and the school superintendents are responsible to this Board. All other officers and personnel of the school are hired by the superintendents, with the consent of the Board of Control, and the latter agency seldom investigates a case of hiring or firing.

The term of commitment is limited by law, and is on the indeterminate sentence plan. No inmate can be kept at the institution or paroled under the control of the officers of the school after he becomes twenty-one years old.<sup>10</sup> Probation for inmates of the school is provided for when the superintendent believes that the party has conducted himself in such a manner that he merits parole.

The training school for white girls is located at Gainesville, Texas. There have been no colored girls admitted to this institution since 1945, when the school for Negro girls was established and began functioning at Brady, Texas. At present there about two hundred delinquents at the white girls' school, and only fifty-six at the Negro girls' school.<sup>11</sup> The Gatesville School for Boys operates on a much larger scale than either of these institutions.

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<sup>9</sup>Vernon's Texas Statutes, 1936, Title 82, Art. 5130.

<sup>10</sup>Vernon's Texas Statutes, 1936, Title 82, Art. 5130-5140.

<sup>11</sup>Letter from Hall Logan, Chairman, State Board of Control, to the Texas Training School Commission, dated November 8, 1948.

## CHAPTER II

### THE PHYSICAL PLANT OF THE GATESVILLE SCHOOL FOR BOYS

#### Admission Procedure

Boys are admitted to the reformatory at Gatesville only as a last resort. Probation officers and the judge handling a juvenile case work together to find some solution other than the boy's commitment to the institution. This is especially true in the case of first offenders, but if no foster home or suitable job can be found for the delinquent, he is sent to the institution by order of the committing judge. This judge, however, does not relinquish his authority over the case by sending the boy to the reform school. In many instances the judge is persuaded to reform his order, and when such occurs, the boy is released.

When a boy is adjudged a delinquent and sent to the reformatory he is received at the office of the superintendent of the institution. From there he is sent to the hospital where he undergoes a physical examination and a general inspection. He is then placed under observation for seventy-two hours in a hospital ward. The routine vaccines given at this time are smallpox, typhoid, and the "A" and "B" influenza vaccines. There is no routine tuberculosis test. Vision tests are of the standard Snelling type, and the hearing tests are made with the spoken voice.

The case history of the boy is reviewed by the sociologist and mental and vocational preference examinations are given by the psychologist. The boy is assigned to a dormitory after being classified on the basis of the findings of these examinations.

#### Location and Size

The School for Boys is located approximately three miles north of Gatesville, Texas, in Coryell County. There are 3,617 acres of land occupied by the school. Of this, 882 acres are owned by the State, and the remaining 2,735 acres are leased. Out of the entire land area 1,600 acres are cultivated in the growing of feeds. Much of the foodstuffs is consumed within the school. The physical plant occupies a position midway between two ranges of hills. The white and Negro schools are separated by a highway, but the inmates are thrown in contact with each other in their daily activities.

#### General Appearance

##### Description and Location of Buildings

The general appearance of the area is clean and well-kept, especially the grounds. Many of the building, however, are in need of repairs. Most all of the houses and dormitories are in need of paint and new plaster.

The Administration Building.--The first structure that one sees after entering the grounds is the Administration Building. It is an old building that has been stuccoed, and

has a dirty appearance. This first impression is deceptive, however, for the building is generally clean. The offices of the superintendent, assistant superintendent, the business and bookkeeping departments, and the records are all within this building. It is a two story building, with the main offices on the first floor. The structure is in need of paint, some new furniture, and a new coat of stucco to brighten up the dull view that greets one upon approaching the building.

The School Buildings.--The school building is located on the right side of the grounds near the entrance street. It is a two-story red brick building, and in good condition generally, though lacking in fire-fighting equipment. Most all of the classrooms are on the first or ground floor. The school psychologist has his office on the second floor. The principal's office is located to the right of the entrance door; to the left is a small room that is used for an attendant. The building is adequate in size to handle the present school program.

The Hospital.--The hospital is located east of the school and on the same side of the entrance street. It is a two-story building, made of brick and finished on the inside with concrete. The floors are of inlaid tile, but much of this flooring has worked loose so that a rough walking surface results. The building is clean, but in need of repairs. All the hospital wards are covered with bars. On the first floor there is a ward for the Negro patients, the sick call examination and treatment room, and the dental equipment. On the second floor

there is a larger ward for the white patients, and also a ward where the new delinquents are placed for a period of observation. In this ward there is no racial segregation. There is a small kitchen on the second floor, but this is seldom used as the food for the patients is sent over from the mess hall.

The Dormitories.--The dormitories are all situated in a row, except for the one used by the honor company. There are three of these big dormitories and one smaller brick building where the honor company stays. The main dormitories are all two-story stucco buildings, similar in appearance to the Administration Building. The first floor of these buildings is made up of storage and laundry rooms on one side, and one large room on the other side which is used for a chapel. The second floor of the dormitories is used for living quarters. As the visitor leaves the stairs leading onto this floor his first impression is that he is entering a cage, though in reality he steps into the enclosure used by the night attendant. This enclosure is separated by bars from the large room occupied by the boys, thus causing this caged-in feeling. The windows of the boys' room are also barred. Placed within the attendant's enclosure is a large box, affixed with a lock, in which are kept the toothbrushes and toothpaste used by the boys. These are distributed at night and again in the morning, and locked up immediately after use. The inmates are not allowed to keep them personally because of their destructive natures. Another box on the attendant's side of the enclosure contains a limited amount of first aid supplies.

The only other objects within the attendant's room are a stove and a wood box. The stoves in all the dormitories are definite fire hazards. They are old, rusty, and equipped with faulty flues that are not too securely attached in the ceilings.

Within the barred-in section of the dormitories are the bunks for the boys. These are all neatly kept and arranged in an orderly fashion. In the same room, and not separated from the bunks by any partition, are the showers, the urinal, and the washbasins. The commodes are also located here and are separated by only a low partition that reaches perhaps three feet from the floor. This partition is adequate for only a minimum of privacy, and serves no other useful purpose. The odors undoubtedly do, on occasions, pervade the entire room, especially on winter nights when the windows are closed to keep out cold air.

The position of the showers, the washbasin, the urinal, and the drinking fountain, with relation to each other, is, to say the least, unique. There is a low partition approximately three feet in height, nine feet long, and perhaps one foot wide. On one side of this partition is the urinal, on the other side are the washbasins. At each end, and quite close to both the washbasins and the urinal, are the drinking fountains. The showers are located perhaps ten feet away from the partition, and a low curb approximately six inches in height surrounds the shower area, thus preventing the water from flowing out but it is not effective against water that is spread by the spray from bathers.

The honor company occupies a newer, smaller brick building that is situated one block from the other dormitories. This is a one-story building made entirely of brick and concrete. The entrance room is quite large, approximately thirty by fifty feet, and has been set up as a recreation and reading room. There is a small library with a very limited supply of books. A pool table placed in the corner of the room to the right of the entrance door is covered with a large tarpaulin. This table was placed there for the use of the boys, but it is not being used, and no pool cues or balls are found anywhere in the room. The administration found it necessary to secure the table from the boys' use because it seems that some of the younger boys have too great a tendency to draw chalk pictures or dig holes into the covering of the table.<sup>1</sup>

Beyond the entrance room on the left is a room in which the boys in the honor company are allowed to keep personal belongings. This is a privilege that is not granted to the other boys in the school. Each boy has his own shelf on which he can keep items such as clothing and shoes sent from home. This group is allowed to wear clothing sent from home if they wish, but the other boys in the school must wear the uniforms furnished by the state.

The above shelves are the nearest thing to lockers that one finds in the school. Lockers have been tried in the past,

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Personal interview with J. T. Schults, Sociologist for the school.



but were found to be inadvisable. The boys stored illegal objects in them thus imposing a further burden on the administration, as frequent locker inspections were necessary.

The small enclosure for the night attendant is separated from the sleeping quarters of the boys by bars, just as in the other dormitories.

The showers, urinals, and commodes in this building are located in the living area, but are spaced for much greater sanitation than in the other dormitories. The fountains are in the main part of the room and removed from the bathroom facilities. The windows in the huge room where the boys sleep were barred when the building was converted into a dormitory for the honor company. The administration has neglected to remove these bars, but this is supposed to be done in the near future.<sup>2</sup>

The Vocational Training Building.--The vocational training building is situated on the northeast side of the school grounds. This is a one-story structure made of dark red brick. The interior is divided into six work areas.

The main entrance opens into a long hallway from which all six of the work areas are accessible. Immediately to the right of the entrance door is the barber shop. This shop is operated by a barber licensed by the state. He is assisted by boys from the school who are tutored by him. Some of the

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Personal interview with J. T. Schults, Sociologist for the school.

boys become quite proficient at this trade, but are unable to work at it when they are released from the school. This is because they are unable to obtain a state license for their training at the institution. The Administration has tried to get approval of the school by the State Board of Barber Examiners but this was refused.<sup>3</sup> It is doubtful if this request will ever be granted, due to the background of the students and the lack of proper equipment.

Across the hall, and to the left of the entrance door, is the tailor shop. This shop is equipped with eight sewing machines and a cloth cutter all electrically operated. The woman who is in charge here has been doing the same work at the school for seven years. The uniforms for the boys are made in this tailor shop. The students are taught how to operate the sewing machines and the cutter, and most of the clothing is actually made by the boys themselves. The cutter will cut as many as fifty sections of material at one time. With this machine, the patterns for shirts and trousers of all sizes are easily cut out. They are then sewed together by the students at their sewing machines under the supervision of the teacher. The resulting garment closely resembles the army khaki uniform. There is an average of six students occupied in the tailor shop throughout the working day.

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Personal interview with M. B. Kindrick, Assistant Superintendent of the school.

Proceeding down the hall, one next approaches the plumbing and tinsmithing shops, both of which are located in the same room. These shops are supervised by a man who has had many years experience in plumbing and limited experience in tinsmithing work. The boys who are found to have ability along this line by the sociologist are assigned for instruction here. The equipment is far below the minimum for proper training in these trades, but the students can learn to make correct joint connections, pipe fittings, soldered joints, and simple soldered tin pieces. A number of articles made by the students, such as funnels and sealed pipe connections, are found on the work benches. In addition to working in the shop, the students assist in the plumbing work required in the various buildings of the school. The shop thus does afford a fair apprentice education in the trade.

The ability that a student may acquire in the plumbing and tinsmithing shop is not of much benefit to him after he is paroled from the school. Shops in the cities will not hire him because he is not a member of the plumbers' or tinsmiths' unions, and the unions will not grant him membership because of his record.<sup>4</sup>

The carpenter shop is located at the end of the right wing of the hallway, and occupies most of the east side of

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Personal interview with Leslie Jackson, Chairman of the State Training School Code Commission.

side of the vocational training building. The instructor is a middle-aged man of serious disposition who has had years of carpentry experience. The opportunities afforded the boys as students in this shop are perhaps the best of any in the school. The area is large, approximately fifty by seventy-five feet, all of which space is taken up by machines and stored tools and materials. Most all types of modern wood-working machinery are found in this shop, including several wood lathes, of different sizes, numerous types and sizes of electrical saws, planers, work benches, machines that bore both square and round holes, and a large selection of hand tools. The students in this shop turn out some very nice pieces of work. In addition to having projects in the shop they do much of the carpentry work at the dormitories and other buildings under the supervision of their instructor. Examples of their work such as finished window frames, chairs, cabinets and wood lockers are distributed around the walls of the room.

After leaving the school a boy has little opportunity to make use of any skill developed in this shop. Recognition by small businesses and construction foremen is imperative if the training given to these delinquent boys is ever to attain the result desired.

The entire north end of the building is occupied by the automobile repair shop and the metal shop. In these areas the boys are instructed in mechanics and metalwork. Neither shop is equipped as completely as it should be, but there is

enough modern machinery to give students a working knowledge of both trades. There are three metal lathes of different sizes, equipment for instruction in acetylene and electrical welding, and a scant supply of literature on the use of the machines. These available books are really of little use as they are far too technical for the average delinquent to understand. Thus most of what the student learns comes from actual use of the machinery. What little work the boys do in the way of mechanics is on the older trucks and automobiles that belong to the school and on some of the machinery used on the farm. It is quite doubtful that many, if any, of the students that are assigned for instruction in this shop could find a job doing mechanic's work or metalwork after they are paroled. It would be necessary for one of these boys to become an apprentice on the outside before he would really know enough to hold a job within either of these trades.

The sixth and last room in this building occupies the west wing of the structure. This area has been converted into a gymnasium, but it is hardly large enough for that purpose. Two basketball goals, one parallel bar, several punching bags, a canvas mat, and two heavy ropes hanging from the ceiling are all that is available in the way of athletic equipment. The students, as a body, make very little use of this room, which fact isn't surprising. In the first place, the daily routine of the students does not allow enough time for all of them to participate in what little this gymnasium offers. Secondly, the equipment provided is so inadequate

that few boys would be drawn to it. The ceiling is much too low to allow for free throwing in a basketball game. In addition there is no trained athletic director at the school to supervise the boys in this activity.

The Mess Hall.--The mess hall is located just a short distance north of the Administration Building, and across the street from the dormitories. The building is a part of one long row of connected buildings which includes the creamery, a small candy store, the bakery, and storage rooms. The inside is "L" shaped, with the mess hall for the school personnel in one wing and the area for the boys in the other. The galley is located in the middle between the two dining halls. The boys' room is equipped with long tables and chairs, and the other dining area contains tables that seat four people. Both halls are kept quite clean, being policed and mopped immediately after meals. A supervisor is on duty in the boys' mess hall during meals and sees to it that they enter in order and leave in the same manner.

The galley is well equipped with modern cooking stoves and equipment for processing foods, such as a potato masher, huge mixers, etc. The cook supervises all the cooking and uses from ten to twenty-five of the boys in the kitchen and in the mess halls. This is not considered a training class, but is a duty to which the boys are assigned when they cannot satisfactorily fill another job or cannot adapt themselves to another type of training. Duty in the mess hall is often a method of discipline.

The Power Plant.--The power plant is situated next to the vocational training building, the two structures being separated by a small storage building. The ice plant is located here in a room separated from all other machinery. All of the ice that is used in both the white and Negro areas is produced in this plant. The freezing chambers are made into the floor of the plant and are filled with water, which is then frozen into one-hundred pound blocks of ice.

The institution is also equipped with two huge furnaces that sit side by side in the power plant. These furnaces are made of brick and are approximately twelve feet by fifteen feet in floor dimensions. Through the top, and just over the flames, runs a series of four inch pipe that carries water through the furnaces. The water is heated in this manner for the entire school. The furnaces are gas-heated, and are regulated from the outside by pressure gauges. Several of the boys are assigned duty in this furnace room. They are familiarized with their duties by the plant foreman. One of their principal functions is to keep the pressure at the correct level and prevent any possible damage to the equipment. The presence of the foreman is instrumental in keeping the boys attentive to their jobs.

Resident Homes.--The resident homes of the personnel who live on the grounds are located on a hard-surfaced street that extends eastward from the Administration Building. These homes are all made of lumber and are four to six rooms in size. They are neat appearing houses, in fair condition generally, but

are in need of new paint. Another row of homes for personnel is located on the west side of the highway in the Negro school section. These are similar in appearance to the ones described above, but are more in need of repairs.

The home occupied by the assistant superintendent is located on the south side of the school campus. This is a one-story, six-room modern house and garage, made of cream colored brick. This home, together with furnishings and utilities, is provided by the state.

A home, furnishings, and utility costs are also provided by the state for the superintendent. This residence is located just to the left of the entrance, and is undoubtedly the most attractive structure on the school campus. It is a two-story frame home, built along modern lines. The white paint on this home tends to make the other buildings at the school look even more drab than they would otherwise seem. The house is equipped with wooden window shutters, a modern garage, and a comfortable screened-in porch. It is located only about one block from the Administration Building, and approximately the same distance from the other office buildings of the school.

The food used in the homes of both the superintendent and the assistant superintendent is available to them from the school storehouse.<sup>5</sup>

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<sup>5</sup>Texas Appropriation Budget for Biennium Beginning August 1, 1947, and ending August 1, 1949, State Board of Control.



The Barns.--On the extreme east side of the school grounds are the dairy barns and stock sheds. There are four main farm buildings. One barn is used for keeping the horses and mules, another as a miscellaneous stock shed, a third to store equipment, blacksmithing tools, and feed, and the fourth is a large dairy barn.

The two stock barns are of the ordinary type seen on large cattle ranches. The lower level is divided into stalls for the horses and mules, and the loft is undivided and used for storing miscellaneous items. Attached to both barns on the east side are the corrals and pens, and the area between the two barns is also divided into stock pens. The school keeps several mules and six to nine riding horses in one of these barns. The horses are used principally to aid in the recapture of students who run away.<sup>6</sup>

The dairy barn is a long, low, frame structure, resting on a solid concrete foundation. The equipment used for milking is kept in small storerooms situated at both ends of the building. On a personal tour of this dairy barn the storage rooms and the milking area were found to be generally unclean and certainly not as sanitary as a modern dairy barn is expected to be. Considerable amounts of straw and other cattle feed were found on the floor, along with particles of cattle excrement scattered here and there.

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<sup>6</sup>Personal interview with J. T. Schults, Sociologist at the school.

The equipment used here is the standard type of electrical milking device. It is in good condition and is kept apart from the milking area. The stalls, approximately 106 in number, are located along the walls on both sides of the barn and in the center. These stalls are made of steel piping that is set in the concrete floor. The floor beneath the stall areas is set at a downward slope to insure proper drainage both at milking time and when the area is flushed out with a hose. Texas sanitary laws require that dairy barns should be flushed after each milking operation. This is evidently not done at Gatesville, although a makeshift effort toward cleaning the area is made each day.

The school has a herd of seventy milk cows that provides all the milk, butter, and dairy products consumed at the school. If this number of cows is ever found to be insufficient to furnish the school's needs, the herd could be increased to number 106, which is the maximum capacity of the dairy barn.

The fourth main barn is used for the storing of farm implements and feed grains. Nearly half of the floor area is used as a corn bin in which the grain is piled nearly to the rafters. Also within this barn is the workshop for repairing farm machinery, shoeing horses, and the making of minor parts to be used on various types of machines. This barn is in exceptionally bad condition. The roof is made of corrugated sheet metal and most all of one end is torn loose. It appears to have been ripped by a high wind. Also, the wooden doors and supports are sagging and badly in need of repairs.

The general condition of all four barns indicates that much work is needed in that area to restore these buildings to a safe and sanitary condition. Outside labor should probably be employed for that purpose, for the repairs needed will require more equipment than is to be found in the schools' carpenter shop.<sup>7</sup>

The Creamery.--The school creamery is located just north of the Administration Building in the row of connected units previously mentioned. The equipment used for preparing the milk products is of modern type, but it is doubted if all the conditions for the sanitary use of this equipment are adhered to. The milk is pasteurized in this building, and butter is prepared here.

The Bakery.--The school bakery is located next door to the creamery. This building is approximately seventy-five feet long and forty feet wide. The bread and pastries consumed by the school are made here. It is only on very rare occasions that it becomes necessary for the school to purchase bakery products from an outside source. The shop is supervised by a middle-aged woman who has worked in that capacity for the school for seven years.<sup>8</sup> She consults the school dietitian each morning as to the amount of baked foodstuffs needed for the following day, and then proceeds to prepare

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<sup>7</sup> Personal inspection tour of this area.

<sup>8</sup> Personal interview with bakery supervisor.

them. The bakery averages approximately two hundred loaves of bread per day, plus an assortment of pies and other pastries. The baking oven is gas operated and completely enclosed in brick. The floors in this shop are made of concrete, and are swept and mopped after each baking. The finished products are stored in the regulation type metal shelves used in most bakeries.

The Laundry.--The laundry adjoins the bakery on the west side. This building is made of stucco and concrete, with cement floors. The equipment is modern and is in good condition. All the laundry for the entire institution and for the personnel, if they desire to use this service, is done here. There are four washing machines. Two of these are huge, cylindrical devices approximately six feet in length. The other two are half again as large as the standard type machine used in the home. All of the equipment is electrically operated with the exception of the roller-type irons and the steam presses. There is a special press for finishing shirts and trousers, and a larger roller-type machine that is used exclusively for sheets. The finished laundry and dry cleaning is placed in bins that are located just inside the door, similar to those seen in city laundries. The plant is operated almost entirely by boys of the school under the direction of a laundry supervisor. Incidentally, this laundry supervisor was the only young shop attendant seen during a personal tour of the institution.

The Confectionary.--The last building of any note at the school is used to provide a store where the students can obtain candy, chewing gum, ice cream, and other harmless luxuries. This store is still in the experimental stage as it has been in operation for only two months. It does provide the delinquents with a source of joy and a diversion that they have not had before, but it seems that the installation of the store has served to increase the number of thefts. The desire for sweets and other small items now available has prompted the boys to pilfer money or items that can be converted into small change by exchange with other boys. The boys as a rule have little money, however, and when a theft is discovered it is reported to the storekeeper who keeps on the alert for some youngster with an unusual appetite. The guilty boy is usually apprehended in this way.

#### Grounds

The grounds at the institution are kept in good order by the inmates, who work in groups under the supervision of a grounds attendant. There is a football field located immediately to the right of the entrance street. This was set up to provide for football and soccer, but it is used very little. There is also a small playground just north of the Administration Building, but only the youngest of the offenders are seen making use of it. The older boys attend school half a day and work the other half, so their schedule

does not allow for playground activity. Situated next to this playground area are two outdoor toilets, which are mere sheds housing the usual necessary equipment.

The 1,600 acres of land that is utilized for farming is planted in corn, oats, and other feed grains that are stored and used to feed the stock owned by the institution. The school garden provides the vegetables consumed by the boys, and the orchard products are culled and graded at the store-room, and either canned or eaten while fresh.

There are many shade trees around the buildings, and shrubs and vines are in evidence around most of the residence homes. The grounds immediately surrounding the buildings at the institution are planted in Bermuda grass and present a well-kept appearance.

## CHAPTER III

### THE OPERATION AND FINANCING OF THE GATESVILLE SCHOOL

#### Personnel

The Superintendent is the administrative head of the school and is responsible for the proper management of each department. It is his job to maintain the standards of training and conduct that are required by the State Board of Control. This position is at present occupied by a man who has had seven years experience working with delinquent boys.<sup>1</sup> He has been the dominant factor in the schools' efforts to abolish corporal punishment in dealing with incorrigible delinquents. The "Bull Pen" has been substituted in most instances in the past two years.<sup>2</sup>

The Superintendent feels that the school has been the target for much unjust criticism in the past two years. He blames this mostly on public spirited agitators who, he is convinced, know little about the actual operation of the school.<sup>3</sup> He is cognizant of the need for many changes at

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<sup>1</sup>Personal interview with Superintendent R. E. Blair.

<sup>2</sup>Personal interview with Superintendent R. E. Blair.

<sup>3</sup>Personal interview with Superintendent R. E. Blair.

the institution, but feels rather handicapped in the face of needed additional state funds, without which these changes cannot be effected.

The Assistant Superintendent of the school has little to do other than to follow in the footsteps of the Superintendent. His thoughts concerning the operation of the school and its needs should follow closely those of his immediate superior. This office is one that is actually unnecessary and should be abolished.

The Sociologist for the school is a gentleman who took his college degree in Industrial Arts. His position is the classic mis-manned job of the entire institution. This is not to infer that he does not attempt to fulfill the position to the best of his ability, but it is glaringly apparent that he is not a sociologist. Though he has now had several years experience in this particular field, he was not trained for it, and was unprepared when he took over that department of the school. This office is obviously not operated with that degree of professional skill and personal interest that would be found in one headed by a trained sociologist.

The present director of this department has been at the boys' reformatory longer than either the superintendent or the assistant superintendent, and because of this has fallen heir to many varied jobs. In his association with the inmates, he seems to be more feared than respected. This attitude is not surprising, however, for when asked about the school's punishment for incorrigible boys, this man replied:



"We seldom whip a boy anymore, except in extremely rare cases, but I recall the times when I whipped fifteen to twenty-five boys a day."<sup>4</sup> On further query he stated that in his opinion whipping is occasionally a necessity. The students' lack of respect for him is supplemented by the fact that it is usually his job to apprehend those boys who attempt to escape from the institution. This operation is carried out on horseback with the help of a huge pack of hounds which trail the escapee. This system of capturing an escaped boy is old-world in type, but effective.

The school psychologist is a graduate of the University of Texas. He has been there only two months, but is already doing an admirable job in psycho-analyzing the incoming students. He is relatively young, around thirty-five years of age, and has been educated for the work he is performing. He received his Bachelor of Science, Master of Arts, and Master of Science degrees at the University, and has recently completed all of the work on his Doctors degree, with the exception of his dissertation, at the same institution. He worked for a number of years with the Psychology Department at Baylor University, and has had experience working with the Waco Public School System. He occupied this latter position just prior to accepting the job as psychologist for the Gatesville State Reformatory.

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<sup>4</sup>Statement made by J. T. Schults in personal interview.

The boys who are sent to the institution are placed in their every-day jobs according to the studies made by the psychologist and the sociologist. The tests and examinations are of the latest type and are those used by most of the present day psychologists in their studies of adolescents and pubertal age children.<sup>5</sup> These tests include the following types: mental health analysis test, devised by Louis P. Thorpe and Willis W. Clark; the Rorschach Method of Personality Diagnosis; the New California Short-Form test of Mental Maturity, Primary '47 S-Form; the Record Booklet-Form M, for the Revised Stanford-Binet Scale for measuring intelligence; the Kuder Preference Record, Vocational form; Progressive Achievement tests, Primary Battery Form A, devised by Ernest W. Tiegs and Willis W. Clark. Other types of examinations are used, but sample copies of these were unobtainable during a personal interview with the psychologist.

The principal of the institution's schools is an elderly man who is completing his twelfth year with the boys reformatory. He is a graduate of Baylor University where he majored in Latin and History. In 1927 he took his Masters degree at the University of Texas, majoring in Public School Administration. In all this time he has been absent from the teaching profession for only three years. All of the remaining teachers

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<sup>5</sup>Sample examinations evaluated by F. Sidney Hamilton, at the request of the author. Mr. Hamilton is a member of the Psychology Department of the North Texas State Teachers College.

at the institution, both in academic and vocational training work, are under his supervision.

There are eleven other white teachers at the reformatory. Eight of these teach academic classes and the remaining three hold classes in the vocational training school. Not one person out of this eleven has a college degree, though most of them have quite a few years experience in the teaching field. It is unlikely that they will ever complete their work for a college degree as they are all past middle age, and several have reached retirement age.

The three teachers in the colored school, two men and a woman, are all college graduates. The principal is responsible for setting up the curriculum, subject to the approval of both the white principal and the Superintendent. The man now holding this job has an A. B. degree in Sociology from Tillotson College. This is his first year at the reformatory, and his first year in the teaching field. However, he has several progressive ideas concerning the administration of his branch.

With respect to the other teachers, the man first attended Prairie View, then transferred to Tillotson College, where he received his Bachelor of Science Degree in Physical Education. He teaches the fifth, sixth, and seventh grades and is in charge of the physical education program for the school. The woman was educated at Samuel Huston College where she received her A. B. degree in Education. She has had eleven years experience in the teaching field. The number of Negro boys six

feet in height that can be seen at any time in the lower grade classes taught by this woman is indicative of the extremely low intelligence of these delinquents.

The hospital is supervised by a registered nurse who has been practicing her profession since 1912 and is now completing her tenth year at the Gatesville Reformatory. She is assisted by a day attendant in the sick wards. The man filling this position has been at the institution for the past four years. He is another example of a misplaced person with regard to his training for this job, as prior to this time he was a farmer. Any knowledge he may possess concerning the care of sick persons could be only a bare minimum.

The dietitian for the institution is a woman approximately forty years of age. She has been at the job for the past seven years and has had twenty years experience in her field. She prepares the menus and types them on a standard form which is then submitted to the Superintendent for his approval.

Concerning the remaining personnel at the institution, it can be said that they are, as a general rule, old. The supervisors who attend the boys during their marches to and from the buildings on the campus are all men well past middle age. They have little to do other than to see that their assigned groups of boys follow their daily schedules. While the boys are engaged in whatever activity is assigned for that period, these supervisors sit or stand around outside the building chatting with each other and smoking. They apparently

have little interest in the delinquents other than to see that they maintain a military group when marching.

The attendants in the Power Plant, Confectionary, and most of the other buildings are well past middle age, and evidently are not concerned with the individual problems of the youthful offenders who are continually under their care.

#### Health and Sanitation

Food.--The food at the institution is generally good, and is dispensed in sufficient amounts to sustain and nourish the weakest or the most robust boy. A sample of the type meal served is as follows: Sunday breakfast: corn flakes, buttered toast, syrup, cream gravy with diced bologna, oranges, coffee or milk; Sunday dinner: chicken and dressing, giblet gravy, buttered English peas, mashed potatoes, pear salad, olives, chocolate cake, hot rolls, butter, and iced tea; Sunday supper: creamed chicken, green beans, potato salad, whole tomatoes, fresh apples, bread, milk; a week-day meal is typified by the following: Tuesday breakfast: fried eggs, wheat flakes, buttered toast, butter, biscuits, cream gravy, syrup, oranges, coffee, milk; Tuesday dinner: chicken fried steak, cream gravy, green beans, mashed potatoes, cabbage slaw, mixed fruit, bread, butter, coffee, milk; Tuesday supper: creamed eggs, crackers, rice, tomatoes, corn bread, butter, bananas, milk; these menus are listed in the institution's records.<sup>6</sup>

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<sup>6</sup>Menu for week of September 14-20, 1947.

A state investigating committee, made up of members of the Fiftieth Legislature, made a surprise visit to the institution on March 4, 1947. In their report, they stated that the food at the dining hall was improperly prepared and insufficient in amount to nourish a growing boy.<sup>7</sup> If that was the situation then, it has changed considerably in the past few months, for during a recent personal inspection, the food was found to be well prepared and undoubtedly sufficient in quantity.<sup>8</sup>

Medicine.--Medical service for the institution is provided by a local Gatesville physician. He makes routine visits to the institution on Wednesday and Saturday of each week. A local dentist makes his calls at the institution on the same days. The service provided by these two doctors is considered adequate to handle the needs of the school. The resident nurse handles all minor ailments and complaints. If an emergency occurs and the doctor's examination reveals a necessity for surgery, the patient is moved to the hospital in Gatesville where all operations are performed. Also, patients requiring dental surgery are taken to the dentist's office in Gatesville, as the equipment at the school does not include all of the instruments required for unusual cases.

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<sup>7</sup>Report of the Legislative Investigating Committee on Eleemosynary and Reformatory Institutions, Fiftieth Legislature.

<sup>8</sup>Personal inspection made December 8, 1948.

A census was taken at the institution's hospital in July, 1948, by the Medical Board of the State Health Department. This census shows that during that month, there were one hundred bed patients and four hundred treatments, with thirty-eight new cases through the hospital. There was a total of 555 cases handled. No epidemics and no outbreaks of contagious disease were in evidence. The venereal disease cases consisted of one gonorrhea patient and sixteen syphilitic patients. Nineteen immunizations were finished and thirty-eight Wasserman tests were given. There were three cases of Vincents disease. The Board reported that the general health of the school was good.<sup>9</sup>

Sanitary Facilities.--There are many defects in the sanitary conditions of the school. Most of these were made evident in the Medical report mentioned previously. The principal complaints pertaining to over-all sanitary conditions are as follows: the water for the school comes from two wells which pump directly into an elevated storage tank with a capacity of 100,000 gallons, and a 350 gallon per minute pump is used to elevate the water. This tank was last cleaned and painted in 1947, and the water receives no treatment after it is pumped from the well. The operator of the wells could not recall ever submitting a sample of water to

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<sup>9</sup>Medical Report of the State Health Department made to the Training School Code Commission.

the State Department of Health for any type of chemical analysis.<sup>10</sup>

The sewage disposal system is apparently in efficient operating condition. The only complaint here is that the treatment plant is in need of much better housekeeping.

The toilet buildings in the exercise yard contain eight commodes and two trench type urinals each, but there are no lavatories. Wooden shields are used instead of doors, and the buildings are not screened. The floors are made of concrete, but there are no drains.

Practically all drinking fountains are mere inverted faucets. These are only makeshift and do not provide the most sanitary drinking facilities.

In the hospital the Medical Board found that none of the walls are washable in the heavy service areas, especially in the medical and dental examination rooms, treatment rooms, toilets and kitchen.

The main kitchen was inspected by the medical board and was found by them to contain undue odors. The floors were rough and difficult to clean and were not properly graded to drain. In the bakery several multi-use utensils were observed that had been repaired leaving inside surfaces rough, making it unlikely that they can be properly cleaned.<sup>11</sup>

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<sup>10</sup>Medical Report of the State Health Department made to the Training School Code Commission.

<sup>11</sup>Medical Report of the State Health Department made to the Training School Code Commission.



The board found many defects in the dairy barn. There were no tuberculin test records on file; milk from Bang's diseased animals was being consumed in the mess hall; there was no mastitis control program in effect; the walls and ceilings of the milking barn were not in good repair; the feed room partition was not dust-tight; pooled wastes were noted in the cow yard; manure was not stored inaccessible to the cows, and this afforded a fly breeding place; the floor in the storage room was not graded properly; all of the openings in the milk room were not effectively screened, and this room opened directly into the milking barn; many flies were in evidence in the milk house; no sanitary bottle filler was provided.

The pasteurization plant was also found wanting in many respects. The processes were found to be insufficient; raw milk was being unloaded directly into the pasteurization room; the ports to this room were not protected; sanitary towels were not provided; the equipment used was not easily cleanable; there was no indicating thermometer to check the temperature of the milk when pasteurized; the cooler had been soldered and brazed, making the surface rough and impossible to clean; there was no mechanical bottler, and some of the milk was being bottled and plugged by hand with Grade A caps, though this is not a Grade A milk supply.

This same board inspected the school for Negro girls at Brady, Texas, and the school for white girls at Gainesville, Texas. The former school was found to be in good condition

generally, probably due to the fact that it is newer and sanitary conditions are more favorable. The white girls school, however, was given a very unsatisfactory report. Some of the findings were as follows: the water supply consists of one well from which untreated water is pumped and used; in the hospital, the walls are plastered and not washable; the scrub sink in the hospital was found to be out of order. In the main cafeteria sanitary conditions were generally bad. There were no hand washing facilities convenient to the kitchen; no garbage can covers were in evidence; the utensils were neither inverted nor covered; the building was not rat-proofed; no thermometers were found in the sterilization water; dishes were cracked; weevils were found in the flour, rice, and meal; roaches were found in drawers where food was stored; the garments worn by the girls were unclean; the central store room was found to be infested with rats and mice. The dairy barn was in approximately the same condition as the one at the boys school, and the milk was considered to be unsafe for consumption.<sup>12</sup>

#### Education

The education program at the boys school consists of a half day of academic work and a half day of vocational training. This is supposed to be the schedule for all of the boys

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<sup>12</sup> Medical Report of the State Health Department made to the Training School Code Commission concerning the Gainesville School for Girls.

in the school, but it is not carried out so that each of them participates. They do get the academic training, but many are not given training in the vocational school.

Classes through the tenth grade are taught in the school for whites, and the courses given are English, mathematics, history, geography, spelling, writing, and reading. This is not a fully accredited school as the courses taught and the teachers employed do not measure up to the standards required for recognition. The students are placed in classes according to their mental age and ability. This results in the grouping of boys of all ages and sizes in the same class. It is not unusual to see several boys fifteen or sixteen years of age participating in classwork with other boys in the ten to twelve year age group. This is true especially in the Negro school, where the student body in the first grade consists mostly of teen-age boys. When commenting on whether these boys should be promoted to a higher grade, the colored principal said: "They are not capable of doing the work in the class where they now are. They should be demoted."<sup>13</sup>

The school officials contend that the academic status of their students is fully recognized by the public schools throughout the state. Records do not corroborate this contention. Repeaters in the school are generally placed in the same class that they were in when first committed to the institution.

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<sup>13</sup>Statement made by W. H. Walls in a personal interview.

The Honor System.--Discipline at the school is maintained by military organization of the students. The boys are separated into Companies A, B, C, and D, this latter one being made up of the boys in the honor group. They are placed in one of the four companies according to their mental age, physical abilities, and outlook, with no particular regard to size and actual age. Thus boys of all ages and sizes may be seen in a platoon as it marches across the campus.

As soon as an instruction class, meal, vocational training class or any other scheduled activity is over, the boys are lined up outside the building by the attendant in charge. They are then ordered to their next activity. Their marching order is very unmilitary in appearance, as the boys are all out of step, talking or whispering, or slouching along kicking stones. The only semblance of military order is that the boys do keep their place in the marching column.

The delinquents are on their honor not to leave the institution, but few of the boys are acquainted with such a system. There are no fences or bars to prevent the boys from leaving the vicinity if they get the chance, and most of them do try to escape some time during their period of commitment. When a boy does try to leave, his absence is noticed by the attendant, who takes roll call at frequent musters throughout the day. The superintendent is then notified, and measures are begun to apprehend the escapee. Usually the pack of hounds, previously mentioned, are used to track down the boy.

The institution makes use of a trailer, which is equipped to carry a horse, saddle, and four dogs. When notice of an escape is given the horse and dogs are loaded into the trailer, which is then taken to the spot where the boy was last reported seen, or where his tracks are plainly visible in the cultivated soil of the school's farmland. When the particular spot is reached the dogs are then released, the horse is saddled and mounted, and the chase is begun. This method of recapturing the boys is nearly always effective, but there are a number of names in the records showing uncompleted, unreleased terms.

The Bull Pen.--If a boy attempts to escape and is retaken by the school authorities, he is placed in the Bull Pen. This is a confinement area which takes up the entire third floor of the dormitory adjoining the Administration Building. A more dismal, desolate room can hardly be imagined. The pen is shaped like a "T". The three wings are barred separately, creating again the caged-in effect for the area occupied by the attendant. This enclosure is situated just at the stair well, similar to the attendant's area in the dormitories. For company the guard has only a wood-burning stove and a wood bin. Actually three confinement cells are created, for the three wings are barred separately. The right cell is not used as a part of the Bull Pen and is piled high with unused furniture, pieces of scrap metal, and other bric-a-brac. The center cell is used for the white and Mexican boys. Within this large cell is a small steel cage which is equipped with a commode, bunk and washbasin. A tall man could not stand

upright in this cage. It is used for isolating the more unruly or completely incorrigible boys. Showers and a water faucet are placed against the back wall of the cell, and a commode is situated close by. The cell on the left is supposed to be for the Negro boys, but both white and Mexican boys are occasionally mixed in with these colored delinquents. The sanitary facilities in this room are situated much like those in the center cell. The bunks are crowded together in a corner in both of the used cells. The offenders sent to this confinement area are awakened each day at seven in the morning. They take a shower first, and then are given their breakfast. This is passed through a small opening in the door to the cell in order to prevent any possibility of attempted escape by the boys. The plates are pushed back through this opening when the meal is over.

The boys are then lined up facing the wall so that no one will see more than the blank wall ahead, and perhaps the back of the boy in front of him. They are not allowed to move from that spot all day long except to use the rest room facilities, and they must raise their hand and get the attendant's permission before they are allowed to do this. They cannot converse with each other or make motions with their hands or other portions of their bodies. They must stand in the small area designated for them. On occasions the attendant will allow them to sit on the floor on that same spot, if the boy raises his hand and asks permission to do so.

At eight in the evening, or immediately following their supper, they are ordered to their bunks for the night.

No lights are used on this floor of the building, and this creates a most dismal, lonely atmosphere. The walls are grey-green, which only adds to the gloom. During a personal tour of this area a small boy was observed raising his hand over his head with evidently no intention of attracting the attention of the attendant. When questioned he was found to be playing with a small beam of sunlight which was filtering through a small crack in one of the painted windows. This boy did not appear to be over ten years of age.

When the boys run away they are confined in this bull pen on their return. The period of time is supposed to be approximately seventy-two hours confinement, but this time is exceeded on frequent occasions. During their stay here they are further punished by having six demerits per day subtracted from their accumulated total. The boy is thus fined thirty-three demerits if he is confined only for the seventy-two hour period. This figure includes the five merits per day he would have been credited with had he not attempted to escape.

Attempted escape is not the only act for which the boys are sent to the Bull Pen. Soliciting the affections of female personnel at the school is another frequent offense which rewards the offender with this punishment. Too, there are always several delinquents confined here for homosexual activity. These boys can be distinguished from the others

by the fact that they are required to wear suspenders on their trousers.

Corporal Punishment.--The subject of whipping at this institution has been the cause of much agitation in the past two years, so much so that the Fiftieth Legislature passed a bill outlawing corporal punishment in the state's reformatories. Violations of this law have been claimed, but not often proved. It is probably true that whippings are still given on very extreme occasions for the more incorrigible boys. This is denied by the Gatesville school's superintendent, but the sociologist stated that such punishment is still necessary when other forms of discipline have been tried and found to be inadequate to convince the offender of his wrong.<sup>14</sup> It has been extremely hard to make a change from corporal punishment to confinement. When the bill was passed making whipping illegal it was necessary for the institution to make this change overnight. This was difficult in many instances because the boys who had been accustomed to being whipped for their offenses were then required only to stand in a dusky room for seventy-two hours. In some cases this served to make the boy more likely to misbehave, for they did not then dread the bull pen as much as the whipping. Since that time, though, most of the chronic offenders have been sent to the bull pen several times. It now seems that they dread

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<sup>14</sup>Personal interview with the Sociologist, J. T. Schults.



this confinement enough that it acts as a brake on their inclinations to be unruly.

Merit System.--Probation from the school is based on the merit system, assuming an absence of action by the committing judge in releasing a boy. Under the merit system each boy must acquire 1400 merits before he is eligible for parole. These merits are given at the rate of five each day to all except those boys who work in the dairy, bakery, or mess hall. These particular boys receive six per day because of the longer hours they work. Under this system a boy will acquire his quota of merits in approximately eleven months if he remains on good behaviour.<sup>15</sup>

#### Psychological Description of the Boys

Very few normal boys are sent to this school. Nearly all of them can be classified as either kleptomaniacs, psychoneurotics or psychoneurotic deviates, hypochondriacs, or sexual perverts. This latter classification takes in a little over twenty-five percent of the boys serving time in this institution. This affliction seems to run in the boys of the lowest I.Q.'s. Those having intelligence quotients of from eighty-five to 110 are not often affected. The number of Mexicans affected runs higher than both the white and colored boys combined.<sup>16</sup>

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<sup>15</sup> Personal interview with the Superintendent R. E. Blair.

<sup>16</sup> Personal interview with the Psychologist at the institution.

These boys have an outlook on life that a person of normal intelligence and social background cannot understand. They come from such morbid family backgrounds that the average person would have difficulty in determining just how they managed to exist before commitment to the institution. In most cases this was accomplished by stealing what they wanted in order to get along.

The following case history is typical. Johnny X is the son of a prostitute, and his father is a chronic drunkard and a loafer with no ambition other than to get his hands on a supply of liquor. The parents have never been legally married, although they have lived together as common-law man and wife. The mother has been actively engaged in her trade since the child's birth, and as he grew up he was familiar with either an empty house or one occupied by a drunken father. He never knew any of the pleasures common to the average boy, and because of this came to the conclusion that if he ever was to have any of the things he wanted he would have to take them from others. A career of petty theft and heterosexual activity was begun at an early age, and his eventual arrest was inevitable. By this time Johnny was a chronic belligerent, and no foster home could be found for him by the court. The state institution seemed to be the only answer.<sup>17</sup>

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<sup>17</sup> Taken from the records of Case Histories, Sociologist's office, Gatesville School.

This example shows a common background found in the histories of most of the boys at the reform school. It is seldom that a normal family history is found in the records. City slum areas and waterfronts provide most of the inmates. Thirty-five percent of the boys sent to the Gatesville school are from Harris County, and most of these come from the area in and around Houston, Texas. Corpus Christi and El Paso are next in the number of boys sent to the school. Dallas has a relatively low number of delinquent boys as compared with other areas in the state. Eighty-five percent of the boys at the Gatesville school come from the larger cities in the state.

#### State Appropriations

Texas spends less per capita on its reformatories than do the states who have recently made changes in their reformatory set-ups. Appropriations for the eleemosynary institutions of this state for the biennium beginning September 1, 1947 and ending August 31, 1949 were requested by the State Board of Control. The total amount sought for the Gatesville School for Boys was \$291,638 for 1948 and \$282,638 for 1949. This would have been an average of \$729.00 per year for each boy, or approximately \$60.70 per month. This figure would have dropped slightly had the 1949 request been approved. The requested budget was increased by the Fiftieth Legislature, however, and a grand total of \$310,702 was approved for the Gatesville school for 1948 and \$301,772 was provided for the

period ending August 31, 1949. This increased the per capita apportionment to approximately \$65.00 per month which approximately doubled the 1947 figure.

The approved budget lists a total of \$116,332 for salaries, \$155,450 for maintenance and miscellaneous, and \$39,000 for repairs, improvements, and buildings.

The Superintendent receives \$3,972 per annum in addition to his house, provisions, laundry, utilities, and cook. The Assistant Superintendent receives \$2,100 plus the same additional benefits given the Superintendent. The day attendants are paid \$92.00 per month, and the night attendants receive \$86.00. Other yearly salaries are as follows: Chaplain, \$1,584; Nurse, \$1,800; Physician, \$1,764; Psychologist, \$3,300, plus benefits; Sociologist, \$2,400; Junior Sociologist, \$1,310; Supervisors, \$105 per month, \$6,808; Maintenance Chief, \$1,800; Maintenance Crew, not to exceed \$120 per month, \$8,000; Teachers, \$7,000.<sup>18</sup>

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<sup>18</sup>General and Special Laws, Texas, Fiftieth Legislature, Regular Session, Ch. 330, p. 599.

## CHAPTER IV

### PUBLIC OPINION AND THE GATESVILLE SCHOOL

#### Recommendations for Administrative Changes

Public interest in the welfare of the delinquent boys of Texas has taken a sharp turn upward in the past two years. This was apparently stimulated by reports of floggings and other severe punishments which leaked out to the public through legislative aspirants and others seeking personal gain. A few of these reports were corroborated by facts and records, and this served to lift public sentiment to an all time high. Many letters began to flow into the Governor's office at Austin, all of them making suggestions as to what steps should be taken to improve the reformatory system, or demanding that some form of action be taken.

The biggest stimulus accorded public sentiment was a report in late 1946 that one of the younger boys was unmercifully beaten, and that several others were forced to climb thorn covered trellises with their feet and hands bare. Whether or not such treatment actually did occur is as yet an unanswered question, but the report did augment public sentiment to such extent that the Governor asked a legislative investigating committee to inquire into the operation of the school. The findings of this committee were of sufficient importance

to prompt the Legislature to adopt a resolution which gave the Governor the authority to appoint a citizens commission, styled the Texas State Training School Code Commission, to make a year's study of our reform system and make recommendations for administrative and jurisdictional changes. The work of this code commission will be discussed in the succeeding chapter.

One of the leading advocates for a new system of juvenile control in Texas is C. V. Compton, of Dallas, Texas. He is definitely against corporal punishment in the reform schools and has been actively participating in group meetings with state, federal, and local authorities on juvenile training programs. He contends that one of the reasons why numerous delinquents eventually terminate their shadowy careers at the state prison is the kind of treatment they are given when in a reformatory. This idea presupposes that corporal punishment breeds belligerence instead of removing it from one's character. Compton has had several meetings with Austin MacCormick,<sup>1</sup> who had previously made a study of the Texas Reformatory System, and states that MacCormick believes that whipping has not been abolished in the Texas reform schools. Compton believes this to be true, despite the contention of school officials to the contrary, and he says that paddles and fists are used in disciplining the boys.<sup>2</sup>

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<sup>1</sup>A nationally known authority on juvenile delinquency.

<sup>2</sup>Letter to Leslie Jackson, Chairman, Texas Training School Code Commission, dated May 31, 1948.

Compton sees three problems involved in the operation of the Gatesville school.<sup>3</sup> These are the lack of trained and professional personnel, the lack of appropriate diagnostic and treatment facilities, and the use of inadequate and inappropriate buildings.

It is his contention that each inmate should be regarded as a single entity, to be studied and treated on a basis of his own particular personal and social characteristics. He feels that diagnostic facilities should be provided and a study made of each person coming into the institution.<sup>4</sup> On the subject of punishment he uses the quotation that "men are sent to prison as punishment, not for punishment," and believes that cruel and unusual punishment should be prohibited and brutality outlawed. Along this line, Compton feels that no practice designed to degrade the individual inmate should be permitted, with reference to such acts as shaving the head, marking or mutilating the body, or requiring individuals to wear special clothing as a mark. In the place of corporal punishment, he recommends that such measures as cancellation of movie privileges, no dessert at meal time, restricted diet, no radio, and isolation should be substituted.<sup>5</sup>

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<sup>3</sup> Letter to Leslie Jackson, dated November 5, 1947.

<sup>4</sup> This health measure is now provided by the state.

<sup>5</sup> There are no movies or radios at the Gatesville School.

Compton thinks that inmate participation, limited to the advisory responsibilities in matters pertaining to the welfare of the inmate body as a whole, would be a valuable means of social education if properly guided by the administration. The suggestion is made that Inmate Advisory Councils should be established, with the understanding that such councils would have no disciplinary or executive functions.

With regard to vocational training, it is Compton's opinion that carpentry, salesmanship, moulding, painting, and decorating should be taught. He suggests that the garage and machine shop should be moved to an enclosure near the highway, where an abundance of work could be provided for a multitude of boys. However, this suggestion would obviously present a great temptation to the inmates working therein to take an automobile and escape, therefore the practicality of the suggestion is doubtful.

Mrs. William L. Crawford III, of Dallas, Texas, is another person whose interest in the delinquency problem has stimulated state inquiries. In her research on the subject she has compared costs of operating the Texas schools with those of other states. Concerning the financial condition of these schools, she made the following statement:

A comparison of the sum spent for each delinquent juvenile in the Fred C. Nelles School for Boys, Whittier, California, with that spent in the school at Gatesville, Texas, reveals that the expenditure in California is almost four times as great as that in Texas. The number of inmates at the California institution is 320 with a staff of trained workers which number 124. Is it any



wonder that approximately 65% of their boys are able to adjust to a normal community life, whereas from 70% to 90% of our boys become second offenders?<sup>6</sup>

Her findings on the amount of money appropriated for the California institutions were corroborated by Hall Logan when he made a visit to California in September, 1947, and made a comparative study of the California system of juvenile control.

This woman has spent a great deal of time on the problem of what changes should be made in the reformatory system of this state. For all the schools she suggests six programs, which are as follows: (1) the state should set up a new department, styled the Texas Youth Assistance, and the three state training schools should be transferred to this department; (2) the state should make provisions for a complete examination of each child before he is sent to the institution. This should include physical fitness, psychiatric analysis, psychological reaction, point of breaking, and case history, with this information to be sent to the school with the child; (3) each school should have a lay committee of five persons who would visit the school once each month and make a formal report to the head of the Texas Youth Assistance. These committee members should serve rotating five year terms. The function of the committee would be to secure the interest of outside persons and to bring outside entertainment to the school. It would consult with the staff and with inmates. It could meet with members of a representative student council,

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<sup>6</sup>Letter to Leslie Jackson, dated November 29, 1947.

such representatives chosen by free choice of the other inmates. This council could consult with staff members and with the committee on matters of policy, but would have no power over other inmates. There should be a director of social work at the school to guide this council; (4) the state should establish a first rate school of social work so that competent people could be trained to staff these institutions. She says that the law saying that persons must be residents for five years to get a job should be changed so that only trained personnel could be employed; (5) the state should be divided into districts with a trained social worker in each district to visit the home of each child while he is in the school. This, she thinks, should strengthen the family ties. If this is impossible, then a foster home should be selected. The social worker should keep in close contact with the child, know when parole is due, and look for employment for the child; (6) at each school, the group ready for parole should be given more liberty and more responsibility so that the gap between prison and parole is not so great.

Seven recommendations for the Gatesville school for boys are given in this same program, and are as follows: (1) The state should investigate the possibility of the present plant being used for some other institution, such as a state hospital. The author believes that a college type of program for boys could be done better in another locale. (2) Standards for personnel should be raised. There should be a Superintendent, Assistant

Superintendent, Director of Education, Assistant Director of Education in charge of Vocation, a Director of Social Service, Director of Recreation, at least a part time Psychiatrist, a full time Psychologist, and a farm superintendent. Under this personnel set-up, the Superintendent would be the top administrator; the Assistant Superintendent would serve as director of cottage parents, in addition to sharing the duties of the Superintendent; the Director of Education would supervise the teaching program and see that only the most skilled teachers were employed; the Assistant Director of Education in charge of vocational work would be responsible for the boys' practical training; the Director of Social Service would work with the District social worker; the Director of Recreation would be in charge of the physical education program, which should be augmented by hobbies such as art work, handicraft, ceramics, air plane models, and others which might be interesting to boys who are not suited for athletics; the farm superintendent should have an interest in the different types of farming, and not be confined to the one goal of production. (3) The cooperation of A & M College should be sought in setting up a better farm program and the acreage at the school should be cut to fifty acres. (4) The tendency toward peonage should be eradicated. (5) The Negro school should be more closely supervised and its activities more carefully planned than the white boys' section. (6) The present appropriation must be multiplied by three to have sufficient money for the staff and to equip and conduct the school in the proper manner.

(7) Some person outside the state who knows this field should be employed to make a careful, unhurried survey and then tell the state how much money is needed and how it should be spent to get the most effective program.

#### Letters and News Items

In the above program it was suggested that the state find a new location for the boys reformatory. In connection with this a few offers have been made to the code commission and to the Governor. One such offer came in a letter to the State Executive Department which suggested that the Cooper Foundation Ranch, located near Reisel, Texas be converted to a boys' ranch. It stated that there are 1,700 acres of land, one new seven room house, one two-story, ten-room home, five or six tenant homes, four or five labor shacks, enough concrete blocks to build a dormitory that would house twenty boys, and other equipment valued at \$25,000. This letter asked that the Governor make this proposal to the state.<sup>7</sup>

The cause of delinquency has been considered by most authorities to be the failure of parents, but several people who have become interested in the problem have come to a different conclusion. One man stated that, in his belief, commercialism is the cause of delinquency.<sup>8</sup> By this he means

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<sup>7</sup>Letter from M. N. Bostick, Manager, Cooper Foundation, to Beauford Jester, dated October 20, 1948.

<sup>8</sup>Letter from L. M. Brown to Leslie Jackson, dated October 19, 1948.

that comic books, beer advertisement, sexy movies, hair-raising picture serials, and other such trivia are the reasons why young boys develop the urge to steal, maim, kill, or commit perverted sexual activities.

Another theory along this same line of thought was stated by an Attorney at Houston, Texas.<sup>9</sup> He believes that the trouble lies in our system of privilege and monopoly, and only partially in parental behavior. This statement stabs sharply at our American ideals. Can we say that freedom of competition, free enterprise, industrial progress, or an over or under abundance of business supervision is the basis for our juvenile delinquency?

Several interested parties have published articles in the newspapers giving their recommendations for improving our reform school system. Some of these concerning the progress made in other states have furnished food for thought. One of these stated that the city of New Orleans, Louisiana, had begun to fight delinquency with fun. This was done by establishing many additional city playgrounds and supervised parks to keep youths off the streets. The city has ninety-six playgrounds in all, plus a Youth Center which covers a city block. Twenty of these playgrounds are floodlighted for night play.<sup>10</sup>

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<sup>9</sup>Letter from L. C. Christian to Leslie Jackson, dated February 16, 1948.

<sup>10</sup>Dallas Morning News, October 11, 1948, p. 1.

Another article recommending changes was written by P. J. Clendenen, Washington consultant for the United States Child Bureau.<sup>11</sup> In this he suggested a changeover to smaller schools of not more than 150 capacity. He believes that the attitude of the child is better if he is placed in a smaller group. It is suggested that these smaller institutions be located throughout the state. Clendenen also believes that foster homes are not the answer to the problem of the delinquent's home life, and says the objective should be to rehabilitate the family from which the child came.

Clendenen firmly believes that the farm training given the boys at the Gatesville school is much more detrimental than beneficial. He says that when boys spend as much time in the field as they do at the Gatesville school there is little time left to train and guide them. The view is shared by Hall Logan, who adds that since eighty-five percent of the boys at the school come from city and metropolitan environments, they have little or no interest in farming.<sup>12</sup> This lack of interest on the boys' part is increased by the fact that occasionally they are farmed out to farmers in the area as day laborers. These farmers have no interest in the situation other than to get the work done the way they wish. This is certainly no part of delinquent rehabilitation.

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<sup>11</sup>Dallas Morning News, June 20, 1948, p. 4.

<sup>12</sup>Letter from Hall Logan to Texas Training School Code Commission, dated November 8, 1947.

## CHAPTER V

### STATE EFFORTS TOWARD IMPROVEMENTS IN THE REFORMATORY SYSTEM

#### The Fiftieth Legislature

Public concern over the delinquency control problem had risen to such heights by the time the Fiftieth Legislature convened that the state was forced to make an investigation into the operation of the reform schools and other eleemosynary institutions. A committee was appointed by the House of Representatives to make this study. This group was composed of both veteran legislators and junior members of the House.

The duties of this committee were to make a thorough study of each institution and submit a report of their findings to the House of Representatives. In making this study they were to visit each institution and interview the personnel and inmates, study the condition of the physical plant, and get the facts on the training and treatment of the inmates.

These visits were made unannounced, and actual cases were discovered where boys had been whipped. Some of the committee members were appalled at finding such treatment, and when they discovered several "bats" in an office they took these back to Austin to present to the Legislature as evidence of beatings. There is some question as to whether

these bats were being used though they had been used in previous years.<sup>1</sup> Records, case histories, types of punishment, and qualifications of the personnel received the most attention on these inspections.

The reports made by this committee showed that the Boys' Reformatory at Gatesville was undoubtedly guilty of mistreating some of the boys. One such report is as follows:

The Gatesville State School for Boys,  
Gatesville, Texas.

The Committee visited this school March 4, 1947. We visited the dormitories upon arrival at 7 O'clock P. M. and found them to be in need of repairs and alterations due to the fact that the showers were such that the water splashed over the walls and ran all over the floors. The toilets were open in the dormitories with no means of ventilation. This caused a very bad odor in the dormitories. We further found that the boys were sleeping under bright lights.

We visited the cafeteria at breakfast and found that the food was being served by boys who dipped it out with their bare hands, instead of using spoons or ladles. Skimmed milk was being served. The food was only fair and not in sufficient amount for a growing boy.

The day of our visit two boys had made attempts to escape. Upon recapture, the boys were struck several times in the face by the bare fists of employees. Then their clothes were stripped off and they were given several lashes with a leather strap, which left them bruised and blue from the treatment. In order to prevent our seeing these boys, they had been transferred from the hospital to the County Jail. When we tried to see them at the jail, we found that we could not get in, due to the fact that the Deputy Sheriff was unable to come to town, and the Sheriff, who had left orders that the jail was not to be opened by anyone except himself, could not be located anywhere. We began trying to see the boys at 11 o'clock A. M. and finally succeeded in getting in the jail to see them at 6 P.M.

Boys who had been beaten were: Joseph Verissimo, New Bedford, Massachusetts, age 17; Arthur Crossman,

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<sup>1</sup> Statement made by R. E. Blair in personal interview.



Dallas, Texas, age 16; Russell Furke, Odessa, Texas, age 16; and Glen Crawford, Dallas, Texas, age 16.

It is our belief that these boys had been punished in violation of the law passed by the 49th Legislature in regard to the punishment of inmates of the Gatesville Reformatory.

The committee found an excellent wood-working shop which was not being used for the training of the boys, but did find the boys making hooked rugs and embroidery work at the school.<sup>2</sup>

During this same visit to the Gatesville School the committee was informed by several of the boys that another delinquent had been whipped for running away several days prior to that time. This youngster was brought before the committee for questioning. At first he denied the whipping, but when he was requested to remove his shirt the welts visible on his back forced him to admit that he was given such punishment. This action by the school administrators remains unexplained, as does the punishment cited in the above report.

This investigation showed little evidence of whippings at the Gainesville School for Girls, or at the School for Negro Girls at Brady, Texas. Evidence of other questionable forms of punishment was given, however. These disciplinary measures included shaving the head, wearing conspicuous clothing, and hobbling the feet with chains.

These findings were reported to the House of Representatives, and several of the committee members were called upon to give their impressions. Several of the older politicians

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<sup>2</sup> Report of the Legislative Investigating Committee on Eleemosynary and Reformatory Institutions, Fiftieth Legislature, p. 1.

stood for a go-slow policy concerning further investigations by the state, thinking that the situation was hopeless in the face of the type of delinquents sent to these institutions. Too much public sympathy was aroused by this time, however, and the House adopted a resolution which established the Texas State Training School Code Commission. This group was to study the institutions and make recommendations in regard to the Juvenile Training Schools in Texas. All state departments were requested to give their full support to this commission. The Governor was in full accord with the plan, and sent letters to all department heads requesting them to place any information they had at the disposal of this Code Commission.

It is not doubted that between the inspections of the legislators and the beginning of the study made by the Code Commission the operation of these schools was changed drastically. Many school practices were thereafter dispensed with or covered up in order that the inspections of this new investigating group would show up more favorably. The number of whippings and other practices detrimental to child health that may have occurred before were cut down to a bare minimum or replaced with another form of punishment. It might be wise for the state to continue to inspect these institutions frequently in the future as such action seems to stimulate the school officials to more beneficial control practices.

### The Texas State Training School Code Commission

The members of this commission were appointed by the Governor, who selected each person according to his or her experience, age and character. Seven laymen were chosen to serve on this commission. There was no pay or reward other than the satisfaction of working toward a better system of administering the state reform schools. Leslie Jackson, who at that time was Dean of the Baylor University Law School, was chosen as chairman of the group. The other members consisted of a supervisor for a county probation department, a college president, a YWCA director, a pastor, a business man, and a teacher.

The chairman outlined the work of the commission and appointed each member to serve on a committee which would report its findings to the commission during meetings of the body. Five programs were established to coordinate the work of the group. These were as follows: visit each of the schools and get a first hand look at conditions; secure all the laws, amendments, court decisions, and related information involving the institutions; itemize and draw up all the problems which need to be solved in the schools, with the aid of outstanding sociologists and psychologists; propose solutions to all the problems listed by the above group, and last, to coordinate the work and keep the commission working in unision.<sup>3</sup>

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<sup>3</sup>Dallas Morning News, November 12, 1947, p. 2.

The method of attacking the problem was that of studying the juvenile control systems in other states, comparing these with the Texas system, calling in nationally known authorities for consultation, making an intense study of Texas institutions, inviting public opinion, and finally, recommending changes deemed beneficial by the entire group.

The first meeting was held in the Governor's business office at Austin, Texas on November 13, 1947. At this meeting John R. Ellingston, of the American Law Institute, talked to the commission and to the Governor on the subject of reformatory management and supervision. This man is author of the Youth Authorities Act which is now in effect in California. In his talk he expressed his belief that the prison-type reformatory was the only solution to acts of delinquent repeaters, and that strict disciplinary measures were necessary. Even though he is recognized as an authority on the subject, Ellingston's talk during the meeting was not received too favorably except as another point of view. This was evidently due to the fact that one objective of the commission was to discover methods of discipline that would make corporal punishment completely unnecessary.

The second meeting was held at the Rice Hotel in Houston, Texas, on November 18, 1947. The purpose of this meeting was a panel discussion by members of the commission before the annual Statewide Welfare Meeting.

On December 13, 1947, the commission met for the third time. During this meeting, the group expressed four basic

needs in the fight against juvenile crime. These were as follows:

...the need for more money in operating the correctional institutions for juveniles in order to employ trained workers for the difficult task of rehabilitation; more complete individual psychological studies of juveniles sent to the institutions leading toward more intelligent classification, segregation, and training; an open minded attitude by the public in giving jobs and otherwise accepting juveniles who come out of the schools to afford them a chance to make a sound place for themselves in society; some method to pinch off delinquency at its source--which all witnesses agree was mostly a failure of the home--and perhaps to make parents legally responsible.<sup>4</sup>

Other subjects discussed at the December 13th meeting were relevant to the California system. One topic was that of parental responsibility, as mentioned above. It was decided that in making the parent responsible the child is turned loose on society to continue in criminal acts. Another topic was that of the need for a receiving center in Texas. The Gatesville Superintendent, attending this meeting by invitation, pointed out that epileptics are brought to the Gatesville school occasionally. This forces the institution to arrange to send the boy to the Abilene State Home for Epileptics. A receiving center seemed to be a good solution to this problem.<sup>5</sup>

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<sup>4</sup>Houston Chronicle, December 14, 1947, Section 2, p. 3.

<sup>5</sup>Minutes, Meeting of the Texas Training School Code Commission, December 13, 1947.

The code commission held its next important meeting on June 19, 1948. During the interim more school inspections were made, juvenile authorities were requested to submit suggestions, and a vast quantity of literature on delinquency problems was acquired. At the June 19th session the members were given seven criticisms of the Texas system by an officer from the United States Children's Bureau.<sup>6</sup> These faults are listed as follows: the training schools in Texas should have the authority to return to the courts any child committed to them who is physically or mentally unable to benefit from the training school program. Feeble-mindedness should be the responsibility of the court. Also, if a child is too sophisticated, too hard, he should be returned to the court for other disposition; the present recall power of the court is questioned regarding its effect on the training school program. If a child thinks that someone is trying to persuade the court to release him he will make no effort to gain by learning; a minimum age limit should be established. Adherence to a policy of ten years is not enough (this is now established by law); a division or department of training schools should be established, and all personnel devote full time to the job; the state should dispose of farming altogether at the girls school, and cut down on it at Gatesville. The only purpose of farming should be to cut down operating expenses; boys from the Gatesville school are farmed out to farmers in the area. This

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<sup>6</sup>Minutes, Meeting of the Texas Training School Code Commission, June 19, 1948.

practice should be abolished; the merit system that is being used in the Texas training schools is lacking in educational value. The submissive child gets the merits, so this does not aid in child development.

Such criticism as outlined here was most helpful to the commission in that several defects unnoticed by them were brought to light. This made the problem easier as the members could then devote more time to specific points rather than to generalities.

After spending over a year on this study the commission has reached an understanding on most of the present defects in the reformatory system. It cannot be positively stated that the changes which this commission thinks would be beneficial would result in a better system than the state has now. It is possible that increased appropriations and changes in some of the administrative personnel might be just as effective. This latter solution has been discussed and studied intensely, but the problem of delinquency goes further than to the training institution. The need for supervision before and after committment must also be considered.<sup>7</sup>

The changes most discussed by the commission are not minor ones. They would be expensive, but it is believed that such changes would be beneficial to the state and to society. The following points suggest a program which would make close supervision by the states officers mandatory.

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<sup>7</sup>Statement by Leslie Jackson in personal interview.

It is believed that a separate state agency would serve to promote the interests of youth and the state better than the present control agency. More time and energy could thus be expended on the one job--that of supervising the state's delinquent training schools.

The appropriation for the operation of the schools is grossly inadequate. A high standard of personnel cannot be maintained on the salary schedule now provided by the state. Additional funds must be provided, and should be altered from year to year in order to meet the changing needs of the schools. This should never be lowered beyond that amount needed to maintain an educated and efficient operating staff.

The state should establish social welfare agencies which would take charge of paroled delinquents, or those having served the full commitment period, and help them get adjusted to a new and better social climate. At the present time approximately ninety-five percent of the delinquents released from the states' three schools return to their home and the same environment from which they were taken when adjudged delinquent. A complete follow-up program is necessary in order to rehabilitate the child and adjust him to new living conditions and surroundings.

The law allowing the committing judge to maintain authority over the child after sending him to an institution is too elastic. This should be amended so that the child is removed from the judges jurisdiction once the confinement term is commenced. This would allow the schools more time in which they could train and rehabilitate the child more effectively.



Many other faults are evidenced in the findings of the commission, but it is considered that these would be expelled from the system with the adoption of several measures, such as outlined above, by the state.

These suggestions, or similar ones, will no doubt be presented to the Fifty-first Legislature during its 1949 session. Some new laws relating to juvenile delinquency are certain to be proposed. An act proposing the establishment of a new type of control for the state's youthful offenders will undoubtedly be placed before the House of Representatives. The matter now rests with the state's law-making body.

## CHAPTER VI

### RECOMMENDATIONS

#### The State

From the preceding chapters it is obvious that the operation of the reformatories in Texas is faulty, but it is not as poorly administered or as cruel as most sympathizers believe. Many defects are obvious and could easily be cured under the present method of operating the schools. Others are just as obvious, but to cure them it would be necessary for the state to set up a new and different system of handling its juvenile delinquents. In order to cure all, or most, of the current faults it seems necessary that the latter action be taken.

Under the present system the reform schools are under the supervision of the State Board of Control. This agency is cognizant of needed changes in our system of delinquent supervision, but thinks that a grave error would be made if such schools were taken away from the Board's supervision. It contends that such action would necessitate the creation of a new state agency or department, and that this would be placing a new and more costly burden upon the state. The trial and error method is the only way by which this contention could be proved or disproved. In any system to be used the factor of added cost to the state will be present, for the first

consideration in creating a new state agency or in reorganizing the present one must be the appropriation of much greater funds for the use and operation of the reform schools.

One of the reasons why the suggestion of a new department for juvenile control seems practical is because the Board of Control has many other duties to perform other than supervising the state's reformatories. It cannot be doubted that a better supervising job could be done by an agency whose only function would be the over-all control of the state's homes for delinquent boys and girls.

In addition to the above, it is not necessary that the members of the State Board of Control be persons whose interests or past experiences have been in the field of delinquency or child welfare. If a new state agency were created to serve the needs of juvenile control alone, this interest or past experience should be required for each member. To the present board members, the job of supervising the reformatories is only a part of the many duties charged to them. No member could possibly devote the proper amount of time to study of the reformatories when he is beset with problems concerning all the other eleemosynary institutions of the state.

A practical solution to this problem would be to create within the state a new agency whose duties would be to supervise the operation of the state reform schools and to make monthly reports to the Governor. These reports should be published in pamphlet form, much as the state budget, and should include the number of admissions to each school, rate of recidivism, number of paroles granted, expenditures of each

school, the repairs or physical changes needed, and any other information pertinent to the operation of the schools.

This agency could be known as the State Youth Authority or the State Delinquency Board. The members, five in number, should be selected in the following manner: the state Employment Commission should accept applications which should be graded and evaluated by this agency. The names of the ten best qualified applicants should then be submitted to the Governor who would select the five board members subject to the approval of the Senate. The members would serve terms of either three, four, or five years. Reappointments should be made by the Governor at his discretion. Vacancies should be filled by applicants who are found to be qualified by the Texas Employment Commission. Under present conditions it would probably be necessary in order to attract capable, competent men to these jobs to set the salary near the \$8,000 or \$9,000 per year figure.

In order to carry out their responsibilities effectively the board should, either singly or as a group, make monthly visits to each reformatory. These visits should be unannounced, this to insure a true picture of the schools activities. This agency should be constantly in touch with methods being used in the reformatories in other states, and should make recommendations for improvements in the Texas schools as new methods are proven and found to fit favorably into the Texas system.

The state should be divided into an appropriate number of social welfare districts. These should be approximately

the same as the senatorial districts. The workers in these areas should be guided by the State Department of Public Welfare, and should be hired by making application to the Texas Employment Commission. These district agencies should work in cooperation with the Delinquency board by acquiring data, making family studies, and aiding in the post-parole program. They would help readjust parolees in their districts by finding or creating jobs for them and by making social contacts that would help keep them from further delinquent acts.

A greatly increased appropriation would be necessary to carry out this program. The present budget allots approximately \$310,000 for the Gatesville school. Most studies that have been made comparing Texas expenditures with those of the other states show that the ones with the best juvenile control systems spend from three to four times as much per year as does Texas. If the present control system is continued, it will be necessary at least to double the 1948-1949 budget. It is believed that a new control system, operating through a state reformatory board, could be operated efficiently on this same amount, considering a corresponding increase for the other two schools.

The state of Texas values the buildings, grounds, and equipment at the Gatesville school at over one million dollars. The amount needed, roughly \$700,000, seems hardly too much to improve juvenile training methods and at the same time protect the state's investment in the physical plant.

This higher figure would allow increased salaries at all levels of employment at the school. The state would then be able to employ younger, more alert men for the job of attending the boys. The present budget shows the salary for these attendants to be \$80.00 per month. This figure will not draw any but aged men to the jobs, and most of the positions at the institution are filled by such personnel. This is not to suggest that the salaries paid to the Superintendent, Assistant Superintendent, psychologist, and sociologist are inadequate. These positions are amply paid. It is the supervisors, academic and vocational teachers, and attendants who are grossly underpaid.

Texas is one of the wealthiest states in the nation, yet it spends comparatively little on child welfare. For such requested increases in appropriations the question "where will we get the money" is always posed by the Legislature. The money must come from the state's general fund. It seems that whether the money is available or not depends largely upon the agency or department in need. In the past these schools have been more or less left in the background in relation to their importance. Huge amounts of money have been appropriated to build and repair schools and colleges which are attended by the state's normal boys and girls. Certainly more efforts should be expended toward returning a greater number of delinquents to a normal life. In several states the percentage of repeaters is as low as thirty-five to forty per cent, which

means that sixty percent to sixty-five percent of these children are helped tremendously by the training they receive in the state's institutions. If other states can achieve this success with youthful offenders there is no good reason why Texas cannot do the same.

The new systems in California, Michigan, and Illinois are paying off in that the recidivism rate in these states has decreased since the new systems were set up. Also, California has been able to reform more of the delinquents. This fact is credited largely to a newer and better follow-up program.

The state of Texas is actually receiving nothing in return for its efforts to rehabilitate youthful offenders. As stated previously, the state budget allows approximately \$66.00 per month per student, or nearly \$800.00 per year. With these figures should be stated the fact that from sixty to seventy percent of the boys sent to the Texas reformatories are repeaters, some for three, four, and five times. Added to this is the fact that twenty-two percent of the repeaters committed to Gatesville eventually land at the state prison at Huntsville, Texas. It is not difficult to see that the state is operating a losing concern.

A new program with an appropriate follow-up system, such as the one outlined in this section, could do much toward showing the state a greater return on its investment, even though the initial cost would be approximately two and one-fourth times the present expenditure. A state agency or board,

created for the one purpose of supervising the reformatories, should solve most of the present problems.

#### The Courts

The Texas laws affecting delinquent children should be improved. This could be done by adding some new ones and amending some of the present ones. Previous revisions of the state's juvenile laws have all tended to either maintain or increase the supervisory power of the courts in delinquency cases. Since most juvenile courts are actually county courts acting on juvenile cases, this after-trial supervision is a function that should be handled by another state agency.

In Texas the child is brought before a juvenile court, there being one in each county unless more are designated by the Juvenile Board.<sup>1</sup> Once the court obtains jurisdiction it retains control until the child reaches twenty-one years of age, unless a discharge is obtained prior to that time.<sup>2</sup> Jurisdiction can be transferred from one juvenile court to another when the child has moved from one county to another. A summons is served upon the parent or guardian to appear in court with the offender.<sup>3</sup> A jury may be demanded at the hearing, but if this is not done the privilege is deemed waived.

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<sup>1</sup>Vernons Texas Civil Statutes, Art. 2338-1, Sec. 4.

<sup>2</sup>Vernons Texas Civil Statutes, Art. 2338-1, Sec. 5.

<sup>3</sup>Vernons Texas Civil Statutes, Art. 2338-1, Sec. 8.



If the child is committed to an institution that judgment may be modified by the committing judge. This act would return the child to its parents.<sup>4</sup> These are the general steps taken by the courts in judging a child as delinquent and committing him to one of the state's reformatories.

It is believed that the law giving the juvenile court judge the authority to modify a delinquent judgment should be repealed. Such authority allows too much discrimination between classes of boys and girls and gives one person too much authority over the life of another. In the state of California the committing judge loses all authority over the child once it is referred to the state's "Youth Authority." There is no opportunity there for an influential parent to persuade the judge to modify his order. This has been done repeatedly in Texas. There have been quite a few cases where the offender was the son of a wealthy or politically prominent father who knew what strings to pull and what pressure to apply to persuade the committing judge to release the child to the custody of its parents. Such action is morally wrong and is harmful to society. This release does not alter the fact that the child is delinquent and quite likely to return to the same neighborhood, the same gang, and the same unlawful behavior.

All delinquency cases should be tried before a jury. This is permissible but not mandatory at present. Evidence as to

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<sup>4</sup>Vernons Texas Civil Statutes, Art. 2338-1, Sec. 14.

social background, parental behavior, and number of offenses should be presented to a jury in all cases. Such evidence should be recorded and made a part of the child's record. It is believed that fairness and justice would be served better if this was incorporated into the laws governing our delinquents.

In connection with the above proposed changes it is suggested that the child be sent to the reformatory for no less than two years. The law now stipulates that the child be confined to serve an indeterminate term. This period averages approximately eleven months, which is the time required to obtain the needed 1,400 merits. The high rate of repeaters is fair evidence that this period of time is not long enough for the child to absorb the training needed to change his social outlook and character. If the minimum sentence were changed to two years, or until adult age, the number of repeaters would decrease considerably, and the possibility of actually reforming the child would be greatly enhanced. In addition to this the indeterminate term does not allow the reform school to set up an adequate training program.

Some states have considered passing laws attaching responsibility for repeated acts of child delinquency to the parents. Such a law was discussed during meetings of the Texas State Training School Code Commission, but was discounted as being an impractical measure. This regulation would doubtlessly result in unnecessary litigation which would occasion increased court costs. Too, a plan such as this one tends to concern

itself with regulating the parent rather than the child concerned.

It is true that many authorities on delinquency stress "parental delinquency" as their main objective in the fight against youth's criminal tendencies. However, this is perhaps the long-way-around to the core of the problem. In considering such measures as family rehabilitation one must face the prospect of many years work in creating a new social structure. Thus, direct attention to the delinquent himself is postponed.

The law now requires that all persons desiring to work in a state reformatory must have been five years in residence in the state prior to application for the job. No provision is made concerning other qualifications such as experience in child welfare work, teaching experience, general habits, health, or morals. This law should be amended to require character references, adequate experience with children, a certificate showing good health, and adequate education to aid in the training of adolescent boys and girls.

Recently a teen-age boy was taken to the Gatesville School for Boys by a county sheriff. No social history was presented to the Superintendent when the boy was given to his custody, but it was quickly determined that the boy was feeble minded. The sheriff refused to again take charge of the child, saying that he had an order from the Juvenile Court of his county committing the boy to the State Reform School. With such incidents occurring on occasion it is evident that the state needs a law, and a binding one, that would make all mentally

deficient juveniles the wards of the court of jurisdiction. In such case, the proper disposition would be mandatory and the mentally deficient would be cared for in the institution intended for that purpose, which is the Austin State School.<sup>5</sup>

When a child has been taken in custody by the probation officer in this state, it is such officer's prerogative to release such child to the parent or guardian pending court proceedings.<sup>6</sup> This action seems unwise as it allows the same delinquent act to be committed again before a hearing is set. Usually the child becomes an offender partly because of the lack of interest and supervision on the part of his parents. Even when the parents must furnish bond the amount stipulated is set at a ten dollar minimum. This is far too little to impress the parent with the need for close supervision of the child. This section in our laws governing delinquency is inadequate to supervise the child after summons and before the hearing. This should be modified so that the county officer would retain custody of the child until the hearing and disposition of the case by the court.

Such proposed changes in the delinquency laws of Texas as set out in this section could not possibly cure all the defects, for they change from time to time and as individual

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<sup>5</sup> Vernon's Texas Civil Statutes, Art. 3871.

<sup>6</sup> Vernon's Texas Civil Statutes, Art. 2338-1, Sec. 11.

cases differ. It is believed that such changes would, however, be a step in the direction of better juvenile control.

#### Operation of The Gatesville School

If an increased appropriation is made for the states training schools the first act should be to reorganize the personnel. In case the budget is increased younger and more highly educated men will be drawn to the jobs. College trained men should be hired for the positions of school psychologist, sociologist, psychiatrist, teachers, and business managers. The Superintendent's job is no more difficult than the capabilities of the staff he controls. Such abilities can be provided with an increased operating fund.

The use of the "bull pen" at the Gatesville school is perhaps not the most pleasant form of punishment, but it is effective. Since this form of punishment was instituted the number of offenses committed by the boys has not increased. This seems to indicate that the present method is at least as effective as whipping, which is undoubtedly the strongest measure of punishment.

The restriction of privileges cannot be set up as a disciplinary measure. This is because the boys cannot be allowed enough privileges to be taken from them as a form of punishment. Radios cannot be allowed for they would be abused and destroyed, and no freedoms are allowed that any boy would miss if they were removed.

The pack of hounds that is used to trail the boys in escape attempts should be disposed of. The use of these dogs

undoubtedly leaves an indelible impression on the minds of the younger boys who have been apprehended in this manner. This creates a fear in the youngster that is hard to explain away in later efforts to rehabilitate him. The psychologist presently at the school expressed his doubts as to the wisdom of using the dogs. Though they are said to be a type of animal that will not attack their subject, it still cannot be doubted that the baying of a dog pack on one's trail will create a terrible and lasting impression.

The privileges of the honor company at Gatesville are a farce except for the fact that the boys are allowed to wear clothing sent from their homes. The standards of conduct required before one could become a member of the honor company should be increased so that only the students with exemplary records could be placed in that group. The building housing this company should be unlocked and unbarred.

Academic training at the school should be stressed much more than it is at present. It is true that the mental abilities of most of the inmates are few enough, but more improvement could be made in their studies if such were made more attractive. The teaching staff should be composed of younger, college trained personnel, and it is believed that such persons could be hired on an increased budget as already suggested.

The daily schedule should provide for academic work during the hours from 8:00 A. M. to 4:00 P. M., and vocational training should be given in one hour classes during this daily program. This would be more advantageous to the inmates

as they would be kept busier and still have the opportunity to learn.

Gymnasium should be constructed in the school grounds area, and this building should be outfitted with equipment for all types of games and physical exercise. A period in this gymnasium could be included in the daily school schedule. This is one of the deficiencies at the school which could, if corrected, do an untold amount of good toward rehabilitating the boys and teaching them good sportsmanship.

The school is sadly lacking in regular religious activities. It is true that services are held each Sunday, but these are only a semblance of the real thing. A full-time Chaplain should be added to the staff and a chapel for services should be provided that would be religious in its atmosphere. Many of the inmates are Catholic, and despite their tendencies to be delinquent in behavior they still have a deep respect for their church.

The psychologist now at the school was hired only recently. Prior to that time all studies of the inmates were made by the sociologist. The institution does not have a psychiatrist, nor does it have the part-time services of one. The state should provide this service on a full time basis. The psychologist can determine certain likes, dislikes, and abilities of the boys, but he is not as well equipped to help those who are mentally ill as would be a psychiatrist.

A library is another facility that is badly needed by the school. There is no place for the more intelligent boys to

sit and read literature that they are capable of understanding and enjoying. The only reading room at the school is located in the honor company dormitory, and the books provided consist of a handful of novels and a few old magazines. The students cannot get interested in reading if they have no literature that they can enjoy.

All wood-burning stoves at the institution should be disposed of and replaced with either gas or steam heating systems. These wood burners are fire hazards and are a constant menace when used in enclosed buildings such as the dormitories.

The milk, milking instruments, and cattle in the dairy should be inspected frequently by a state milk inspector. The state laws governing milk products are not adhered to at the Gatesville school. It is true that these products are not for sale but they are still consumed by the boys who are wards of the state. All precautions against the use of diseased milk should be taken, and the best way to insure this would be to force the institution to adhere to the state laws governing milk processing.

A more rigid system of segregation should be enforced. It is true that the Negro and white schools are separated by a highway, but the boys are thrown together continually in their every day activities. This is not to speak for or against racial segregation, but since the state supports a school for Negro boys it should be used as a separate school. White and Negro boys are placed together in the same cell in the bull



pen. This practice should be stopped, as there is ample unused space in the confinement area.

It is believed that if the suggestions made here were put in effect at the Gatesville institution, the result would be a saving to the state and a more pleasant, beneficent, and able school for the training of delinquent boys.

#### Society

There is only one group that could come close to eliminating the criminal tendencies that sicken the minds of so many of our young Americans. That group is the whole of our society. If the problem can be recognized by the public generally, and if the public would make a determined effort to stamp it out, working as a group, then the probability of increased criminal influences in our youths would be remote.

One way to help would be to create public supported welfare agencies which would not be controlled by the state. These could be supported by private endowment, public donations, and by charitable institutions. The work of such agencies would be to assist in any and all projects which would have any effect on preventing children from becoming a part of an unwanted situation.

Vice and corruption of all kinds exists, and this cannot be stamped out. It is a part of our society. We cannot hope to change our social pattern or the type of government we live with and enjoy in order to combat the tendency toward crime. We can, however, stop the spread of ideas leading toward

corrupted lives by extending teachings of democratic ideas so that all who wish may become a part of a better society. More Americans could, if they wished, benefit themselves and their state by fighting what they see with what they have, and by supporting their state, they could help in its efforts to combat that which the ordinary citizen cannot see.

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