CONVICTS, TRUSTIES AND MEN:

EXPRESSIONS OF INMATE AGENCY AT THE NEW EASTERN STATE PENITENTIARY AT
GRATERFORD, 1923-1935

By Abigail Brown

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ABSTRACT

This thesis examines the ways in which the inmate “voice” was represented, amplified, or controlled by prison officials, penal reformers and the press in eastern Pennsylvania in the from the early 1920s through the mid-1930s. In August 1934, 200 inmates rioted at the “New Eastern State Penitentiary” at Graterford, Pennsylvania, demanding time off their sentences for good behavior and better food. In this thesis I explore this riot through many of the voices involved in prison reform in eastern Pennsylvania as documented in newspapers, administrative records, and government reports. I consider this riot as a conscious, directed act of resistance that—while not tactically premeditated—was a means to a specific end sought by the rioters rather than a spontaneous outbreak as an inevitable consequence of poor social and environmental conditions of imprisonment.

I analyze portrayals of and projections on inmates in these sources and construct a narrative of various representations of inmate agency and voice. Analyzing the rich array of sources discussing and responding to prisoner demonstrations and penal reform reveals the complexities of the perceptual and reactive dynamics between various officials and members of the incarcerated population.
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INTRODUCTION

On August 25, 1934, two-hundred inmates rioted at the New Eastern State Penitentiary at Graterford, Pennsylvania.¹ Only months prior, a committee assembled by Governor Gifford Pinchot to investigate the causes of rioting at the Eastern State Penitentiary in Philadelphia, had identified overcrowding and idleness as the main contributors to a wave of riots at the Philadelphia prison.² Yet, its creators imagined this New Eastern State Penitentiary located outside of the city as the antithesis of the unruly, overcrowded, aging original penitentiary. The prison at Graterford had been intended to replace the Philadelphia institution, known colloquially as “Cherry Hill,” by 1930. Prison administrators drew upon theories of modern penology and the fields of sociology and psychology to structure an ideal prison environment—emphasizing labor, recreation and humane treatment of inmates—that would rehabilitate its occupants by transforming them from convicts into upstanding citizens. The new facility was built on rural land thirty miles outside of Philadelphia, it was a “farm prison” where a segment of the inmate population labored onsite to provide produce for the kitchen. In newspapers and government reports the prison at Graterford was framed as a pastoral haven, calculatingly designed to produce good, self-sufficient citizens.

Graterford was supposed to be the answer to all of the problems plaguing Eastern State. At the time of the riot the Graterford institution was not overcrowded; there were hundreds of


empty cells and plenty of outdoor space for recreation. Additionally, inmates, “with basketball, baseball, talkies and radio for amusement” and surrounded by acres of “the finest farm land in the commonwealth,” appeared to be safeguarded from monotonous idleness. However, the occurrence of a major riot only three years after the prison’s official opening reveals dissonance between the broadcasted vision of the institution and the lived experience of its inmates. The prison administration could not explain this riot as resulting from conditions of idleness and overcrowding. What happened here? How did the men at “one of the finest penal institutions in the world,” become: “cursing, shrieking... rebellious, desperate convicts?”

Why did Graterford fail to live up to the rehabilitative vision of its developers? What allowed Graterford to be a place where two hundred inmates would feel the need to stage, or at least willingly engage in a riot?

I explore this riot through many of the voices involved in prison reform in eastern Pennsylvania as documented in newspaper coverage, administrative records from Eastern State, and official government reports. I consider this riot as a conscious, directed act of resistance that—while not tactically premeditated—was a means to a specific end sought by the rioters rather than a spontaneous outbreak as an inevitable consequence of poor social and environmental conditions of imprisonment. I analyze portrayals of and projections on inmates in these sources and construct a narrative of various representations of inmate agency and voice. I also consider the relationships between the voices of the powerful and how they deflected blame for failures onto each other.

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I examine the ways in which the inmate “voice” was represented, amplified, or controlled by prison officials, penal reformers and the press, beginning with an exposé of prison conditions in Philadelphia in 1923, through Graterford’s construction, the riot and its aftermath. Close reading and comparing these voices reveals the simultaneous formation of multiple narratives about Eastern State’s inmate population.

Walter Johnson reconsiders the trope of “agency,” specifically, questioning the trend among social historians that looks to “give the slaves back their agency.”5 He also warns against the conflation of the notions of “agency,” “humanity,” and “resistance.” Johnson’s work has informed my conceptualization and usage of the terms agency, resistance, and humanity in this thesis. Johnson argues that the simplified assumption of slaveholders as intentional dehumanizers and slaves as figures fighting to “preserve their humanity” does a disservice to the oppressed peoples of the past and more pressingly to those oppressed by reconfigured but parallel means today. I apply Johnson’s considerations of agency and humanity to my study of this incarcerated population of the 1920s and 1930s. Incarceration at Graterford was by no means akin to slavery, but the concepts of oppression and expression explored by Johnson resonate in this study.

By definition, any practice of incarceration restricts agency, so it may appear fallacious or misguided to place so much emphasis on inmate agency. Administrators at Graterford valued self-determination, encouraging inmates to participate in voluntary programs and to take advantage of opportunities available at the prison. At the same time, they discouraged autonomy, celebrating discipline, obedience, and order. Discipline and obedience at Graterford were understood as compatible with and not antithetical to ideas of self-determination and individuality. To understand how administrators, in our eyes, appeared to simultaneously

promote and repress agency, it is necessary to delineate specific applications of the broad concept of "agency."

I draw an important distinction between what I call "institutional agency" and "independent agency" in this thesis. Institutional agency refers to inmates' degree of autonomy or self-determination as condoned by and within the confines of the institution of the prison. Institutional agency could be exercised through participation in voluntary activities like the education program or religious services, basic ability to "interview" with, or take concerns or questions to, on-site prison officials. In theory, inmates could earn more privileges or could pursue vocational training to do more specialized work within the prison. Institutional agency describes inmates' self-determination within the prison system, they might advance themselves in the institution, but limits were set by the administration and determined by what would serve the inmate as part of the institution or what would serve the institution's purposes.

I use the term "independent agency" to describe actions or opportunities for inmates to act separate from the prison. By "separate from the prison," I mean opportunities for the inmate to remove himself from the prison or to take actions for his own good or of his own volition that did not contribute to the institution first, for instance by communicating or interacting directly with people or parties outside, by escape, or working to get an earlier release date. Institutional and independent agency are distinct categories, but not mutually exclusive. Many activities benefitted both the institution and the individual, so independent agency and institutional agency usually overlapped to a certain extent. This thesis does not aim to "give agency back" to the inmates, but to explore the restrictions on and openings for them to exercise agency, and see how those in power responded to and understood inmate actions.
Graterford Prison’s history has only received minimal attention from scholars, typically as an aside in a study of the important status of the original Eastern State Penitentiary in the history of penology in the United States. Graterford Prison was constructed during a period of major transitions in the U.S. The new institution was conceived of on the tail end of the progressive prison reform movement and constructed largely during the Great Depression coming into the New Deal era. Graterford’s early history is well-situated as a case study of how institutions such as prisons adapted to the constrictions of the Depression. In the midst of construction when the Depression hit, prison officials were forced to make choices about what the most crucial elements, architecturally and personnel-wise, of their “modern” institution were and what could be sacrificed.

What were the visions of modern, rehabilitative incarceration held by the various parties working to establish the New Eastern State Penitentiary at Graterford as the pinnacle of penological modernity? How were inmates expected to function in this vision? Alfred W. Fleisher, president of the Eastern State Penitentiary Board of Trustees reported to Governor John Fisher in 1927 that the new prison site at Graterford offered: “splendid possibilities for the erection of a modern penal institution... to effectively carry out all the modern ideas of prison construction, as well as prison-management.”6 Consistent with penal theory in the late 1920s, Eastern State’s administrators believed that a modern prison’s function was “the mental, physical and moral rehabilitation of those committed to its care.”7 They believed these functions could be achieved through constructive employment, education, moral guidance, treatment based on

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6 Letter to Governor John Fisher, from Board President Alfred Fleisher, Annual Report ESP, 1927.
7 Letter to Governor Fisher, from Board of Trustees, Annual Report ESP, 1928, 5.
psychological evaluations, as well as recreational activities to promote physical health and good sportsmanship.\(^8\)

The new prison's location was key to achieving this vision. The New Eastern State Penitentiary would be located outside the city for several reasons. First, this would allow the state to build a "farm-prison;" building a large farm would not only provide employment for hundreds of men, but also allow the institution to produce much of its own food. Secondly, disenchanted with urbanization and uncomfortable with the influence of the city, penologists and officials wanted to treat prisoners in a more peaceful environment.\(^9\) "A great city is no place for a penitentiary," Secretary of Welfare Ellen Potter told a reporter in 1923. Then reflecting concerns about illegal substances recently found to be abundant in the prison, she quoted Warden McKenty saying that at Cherry Hill "dope can almost be thrown over the walls."\(^10\) Warden John C. Groome, McKenty's successor, also advocated a rurally located prison, one reason being that an escapee would not be able to easily hide with friends in the city.\(^11\) Finally, constructing on open land would allow for expansion of the facility if necessary, though officials hardly considered this to be an issue.

In designing Graterford, these officials focused on providing a range of opportunities for employment, "to keep [the inmates] in hand while in prison and to teach them occupations they can follow when they are released on parole."\(^12\) They were also committed to the practice of "classification." Men would be classified into groups based on the lengths of their sentences,

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\(^12\) Letter to Governor Fisher, from Henry Woolman, president of the Board of Trustees *Annual Report ESP, 1930*, 6.
their level of education, conduct, and age, among other factors. A more involved system of classification used scientific methods to study individuals' "intellectual and mental data, educational status, employment history, marital history, social heredity information, analysis of leisure habits, a diagnosis and prognosis," and predict one's chances of being successfully rehabilitated. Different classes required different treatment and penologists and administrators had set expectations for how well classes would respond to treatment and training practices and the likelihood of moving up a class or permanently changing their criminal ways.

The warden, Board members and representatives of the Department of Welfare, which oversaw all state correctional institutions, had a well-developed plan to permanently relieve overcrowding in the design of a "New Eastern State Penitentiary" which would accommodate more than three thousand inmates. When the Pennsylvania General Assembly appropriated $750,000 to the Department of Welfare in 1927 to launch construction of this prison at Graterford, thirty miles outside of Philadelphia, these main contributors were ready to build "perhaps, the finest penal institution in the country." Graterford was termed a "model prison," it was carefully designed so that the structure of the facility, from the ground up, would support practices of progressive penology outlined above. Several other states, most notably Michigan and Illinois, were building model prisons in the same era, and like Graterford, none realized their rehabilitative goals.

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16 "Convicts Start Work on New "Pen"; 200 Soon to be Quartered on Site," Public Ledger, July 19, 1927. Microfilm.
While these inmates were given opportunities to work, exercise, and even to meet with prison officials, they were denied independent agency. They got to do these things because those in power determined that it was the best way to make criminals into citizens. Administrators placed their utter faith in the scientific approaches. If a psychological evaluation determined that one-fifth of the inmates were operating with the mental development of an eight year-old, then the goal would be to improve their mental functioning. There is a strong pattern of non-incarcerated individuals deciding what the challenges and problems facing inmates were and creating a system to address that. All of these voices appear overly reliant on formulaic methods of classifying and processing inmates. Digging into this topic sheds light on an avenue for social control that is more subtle than the New Eastern State Penitentiary’s urban counterpart.

The incarcerated population in Pennsylvania and nationwide increased steadily following the First World War. Americans developed new conceptions of crime and criminality, new and amended laws in many states imposed longer prison sentences for many common crimes. In Pennsylvania, far more people were entering the prison system each year than were released, this owing in large part to a cumbersome and inefficient system of parole and the instatement of mandatory minimum sentences in 1923. County and State prisons across Pennsylvania, consistent with a national trend were severely overcrowded, meaning they had been designed for far fewer inmates than they were forced to accommodate.

In the mid-twenties, the vast majority of the Eastern State Penitentiary’s 841 cells quartered two men, though they had been built to hold a single occupant. In addition to

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crowded cell blocks, there was very little open space outdoors for exercise and recreation. Further, expansion of the site was out of the question as the urban prison was surrounded by development on all four sides. Eastern State’s administration and state officials generally embraced this prison reform effort wholeheartedly, but all involved were aware of Graterford’s most immediate purpose: to ameliorate the situation at Cherry Hill by relieving overcrowding and decreasing idleness by providing employment to hundreds of inmates in the construction of the new institution. In the late twenties, Pennsylvania’s prison population started rising at an even faster rate, crime increased with the Depression, bolstering this trend. Between 1928 and 1933 Pennsylvania’s inmate population increased by seventy percent.21 During the same period the population of Eastern State, split between Cherry Hill and Graterford, had grown by nearly eighty percent.22 According to Eastern State Penitentiary records, convictions of burglary, larceny, and felonious entry increased most during this period.23 Even with 1600 men at the new institution in 1934, the Philadelphia prison still had roughly three hundred more men than cells.24

The interwar period is recognized by most criminologists and prison historians of as a transition stage in American penology. The 1920s were marked by the decline and general disillusionment as to the effectiveness of true progressive penology, and moving into the 1930s, a modified and refined concept of “classification” focusing more on psychological testing.25 This shift in penology brought an emerging emphasis on viewing prisoners as individuals and tailoring “treatment” that would be most appropriate.26 These scholars depict a general pattern of

22 See Figure 1: Eastern State Penitentiary Inmate Population 1924-1935 in Appendix.
23 Received inmates crimes, population statistics, Annual Reports ESP for years 1928-1934.
25 McKelvey, American Prisons, 299-300; Blomberg and Lucken, American Penology, 79-80; McLennan, Crisis of Imprisonment, 446-450.
26 McKelvey, American Prisons, 303-304.
ineffective, obstructed, or failed reform efforts characterizing the decade spanning the mid-twenties to the mid-thirties in many states.

A wide array of factors and circumstances prevented prison reformers across the nation from achieving their rehabilitative goals in this period. Many historians focus on events or parties outside of actual prison administration and how these forces blocked or complicated promising reform efforts. These histories emphasize the impact of economic recession and the Great Depression, which led to increased crime rates and slashes in funding for new penal facilities and for the maintenance and improvement of existing institutions. These conditions also contributed to a widespread scarcity of opportunities for inmate labor as labor unions fought against the use of prison made goods. Rebecca McLennan especially stresses the importance of labor and labor opportunities for inmates. Under the New Deal inmates were restricted from participation in any federally funded projects, such as road construction, and any projects receiving federal funding were not allowed to use materials or goods produced through prison labor.\footnote{McLennan, \textit{Crisis of Imprisonment}, 462.} They also highlight the role of specific state and federal legislative actions in restricting or supporting rehabilitative practices or reform.

Thomas G. Blomberg and Karen Lucken raise the critical point that different stakeholders in prison reform in the twenties and thirties, and indeed, throughout history, had different criteria for a successful reform. They conclude that in the 1920s, generally speaking, “progressive penology failed in the eyes of its designers, even though it succeeded in the eyes of the reforms’ users.”\footnote{Blomberg and Lucken, \textit{American Penology}, 80.} They argue that progressive classification, parole, probation, and indeterminate sentencing failed to rehabilitate inmates and prepare them for a crime-free return to society.
However, these practices were successful for many wardens who could use parole to threaten and control inmates; for judges who now had more sanctioning options; and for legislators who could cut costs of imprisonment by implementing these practices. Additionally, they could blame prison administrators as well as newly created parole boards and probation officers when these practices failed.29

In 1959, Negley K. Teeters and Harry Elmer Barnes critiqued the way that criminologists, historians, and “corrections experts” had investigated and explained the causes of prison riots throughout the twentieth century. They quoted former president of the Pennsylvania Prison Society Albert Fraser, arguing: “No authoritative statement on prison riots... should fail to emphasize the feeling aspect of prison life.”30 Fraser, supported by Barnes and Teeters, essentially argued that blaming physical and economic conditions for riots does nothing to address why the inmates would stage riots at the moments they did, and only confirms problems that a prison’s administration was already aware of. They pressed that criminologists, prison officials and others must consider the feelings and human experiences of inmates as the most important factor when investigating the causes of riots. They argued that prison riots would continue “so long as the individual’s personality is ignored... in a setting where... treatment is eternally subservient to custody.”31 This critique suggests the necessity of bringing inmates’ feelings and personal needs to the front of an inquiry into prison riots if the goal is prevention rather than placation.

29 Blomberg and Lucken, American Penology, 80.
31 Barnes and Teeters, New Horizons in Criminology, 386.
Scholars have interpreted and expressed early-mid twentieth century prisons with varying emphases since, but unfortunately, most have continued to represent the American prison riot under the same assumptions that Barnes and Teeters critiqued fifty years ago. Historians have tended to identify several main overlapping causes of prison riots in the interwar period. They place strong emphasis on conditions of severe overcrowding, inadequate food, and on idleness and unemployment of the inmates. Blake McKelvey offers that as many administrators and wardens across the country relaxed discipline and emphasized recreation, idle and unemployed inmates had more freedom to move about and hostile tensions between inmates grew and led to violence and rioting.32 McKelvey, Kahan, and McLennan, among numerous others, recognize riots as acts of resistance, and identify that mass protests and waves of rioting frequently impelled administrative changes, especially in the late 1920s. However, they accept riots as inevitable outcomes of the aforementioned conditions. Implicit in these histories and explanations is the assumption that riots were essentially reactionary and chaotic, and that eliminating these main riot-causing conditions would solve the “problems” that riots themselves represented.

While recognizing some riots as expressive demonstrations to the “outside world,” historians have failed to recognize how riots were not just a way of communicating with the public, but often the only way. In their analyses of the era, most historians have used riots to demonstrate unfavorable and worsening conditions, and suggest their utility in bringing about investigations into prisons which might have positive outcomes for the inmate population, or in provoking disciplinary crackdowns and restrictions. Inmates voicing specific demands, such as

32 McKelvey, American Prisons, 290.
for a law like at Graterford have been secondary considerations, if considered at all, in scholarly
literature, to the institutional conditions that would lead to riots.

This thesis examines the prison riot as an active, rather than purely reactive,
demonstration. It was often the only way that the inmate population could make their voices
heard to the public at large. They had varying degrees of institutional agency, but severely
restricted independent agency, they were very isolated from society. Graterford was also
physically isolated and harder for outsiders, such as volunteers, caseworkers, and visitors, to
reach.

Commonly cited causes of prison riots do apply in the case of Graterford, including:
social tensions, food, monotony of prison life, and frustration, but another is quite clear. The
rioters at Graterford demanded the passage of amendments to a law called the Ludlow Act,
which would give inmates time off their sentences for good behavior, and thus more agency in
determining their own destiny, whether or not that destiny was compatible with the goals of the
administration. Inmates had been writing to legislators and to members of the State Board of
Pardons in support of proposed amendments to a bill that would allow men to earn time off of
their minimum sentences for consistent good behavior. If all inmates had been productively
employed and more satisfied with the food, perhaps they would not have rioted, but the issue of
amending the Ludlow Act lit the spark. The only way to voice their demands for legislative
action and have a chance of being heard was through a demonstration like this riot, and that is
the most important contributing factor.

This desire was not a secret, the administration even admitted to the press that the
inmates' concerns were valid and that the primary "cause" of the riot was the action of inmates
trying to enact their demands. However, even while this was voiced in the press, it was a tiny
voice, and the main focus of press coverage was not on these demands but on the amount of
destruction done by inmates, the employment of violence, the punishment of inmates and harsh
statements of the officials.

Robin D. G. Kelley, in his study working-class Blacks in the Jim Crow south, uses James
Scott's concept of "infrapolitics" to show how through cultural expression and daily acts of
resistance, oppressed people have more impact on atmospheric and societal changes in everyday
life than just changes made by the powerful at the macro-level of politics. He argues that to
understand the political history and power relations of oppressed populations, it is necessary to
consider their everyday acts of resistance towards their oppressors, such as work stoppages and
thefts, and their collective impact. He emphasizes that these small acts, even if not intentional,
effect power relations.33 I apply this line of thought to this study of agency in the incarcerated
population.

Rather than language of the oppressed and the oppressor, I consider the complex power
dynamics at work in relationships between inmates and administrators, prison staff, penal
reformers, state actors, the press, and the public. I focus more on riots and strikes than on subtler
acts of resistance, but Kelley's and Scott's arguments provide a framework for considering these
events as inmate driven, intentional, conscious demonstrations and expressive acts rather than
just eruptive rebellions against general authority or conditions. This begins to reveal how the
specific execution of a demonstration and what inmates tried to express through it may have
shaped the interpretations and responses of officials and administrators.

33 Robin D. G. Kelley, "'We Are Not What We Seem': Rethinking Black Working-Class Opposition in the Jim Crow
It is often not recognized that inmate actions such as riots may have had more direct impact on changes in prisons and prison reform if their demands, whether made public or not, forced a response from the administration. Often the credit for all changes went to officials for making good reforms or to committees investigating an institution after a riot. Only looking at the actions of officials gives the wrong picture of where the reform came from, presenting the narrative that inmates rioted because something was wrong, and officials discovered what was wrong and came up with innovations to fix it. Riots may have had specific goals and demands and they may have been silenced, distorted, appropriated, dismissed or more by the powerful, but it did start with the inmates.

The Eastern State Penitentiary in Philadelphia was routinely described as antiquated, dungeon-like, and dirty. The New Eastern State Penitentiary at Graterford was commonly praised for being modern, spacious, well-lit and clean. These institutions were operated under a shared administration, making this a useful and unique case study. I analyze newspaper coverage, official documentation and administrative responses to riots at Cherry Hill and Graterford and compare portrayals and explanations of the August 1934 strikes at both institutions. This is useful because the apparent failure of a new prison, in Graterford, which did not have the typical precipitating conditions for a riot of overcrowding and overwhelming idleness, demanded more explanations than riots at the old prison. I can see how the same actors responded to both situations. I will use administrators' actions and statements in context of unrest at Cherry Hill to support my claim that inmate demands were only acknowledged openly as a cause of the riot at Graterford because the typical explanations did not apply, and suggest that they may not have acknowledged these demands publicly otherwise.
Administrators and officials were sincere in their mission to create the best institution they could for the inmates. Fundamental flaws in their shared understanding of the problem, however, undermined their efforts. Seeing themselves as contributors to the noble project of turning convicts, a certain “type of humanity,” into functional human beings, these officials failed to consider that the incarcerated men were indeed already fully functioning humans. Inmates became subjects, though they were not considered subhuman; they were not fully dehumanized, but they were denied recognition of their full humanity. The officials’ perceptions of and projections on the incarcerated population as subjects and their sense of responsibility for reforming the inmates obscured from them the inmates’ intrinsic humanity and human needs. They could not appreciate the critical distinction between institutional and independent agency. This contributed to the occurrence of the riot that they failed to see coming, and were unable to understand.

EVIDENCE

Compared to the vast body of material documenting administrative, governing, and journalistic voices and perspectives, inmate voices are preserved as whispers few and far between. I will focus on the voices of prison and state officials as well as members of the press rather than scavenging for unadulterated inmate voices in this study of Graterford because it is important and relevant that their voices were suppressed, misrepresented, or nonexistent in most of the discourse surrounding Eastern State and the New Eastern State Penitentiary. These men who were incarcerated at Graterford in the early 1930s were denied full agency long ago. I will not focus on returning “historical agency” to these deceased men. I will focus instead on
uncovering the processes and structures that prevented inmates from exercising agency independent from the prison and voicing their opinions.

Many voices in and around the Pennsylvania prison reform movement comprise my main body of evidence. These can be broadly grouped as: prison administration, press, and state officials. My most valuable sources are: regional newspapers, the official daily journals of the warden of Eastern State, detailed Meeting Minutes of the Eastern State Board of Trustees, Annual Reports of the prisons, and official reports of special committees and commissions investigating aspects of the prison system.

The daily journals of the Eastern State Penitentiary warden give a snapshot of each day at both institutions. These records reveal daily numbers of inmate attendance at different religious services at Graterford and at the school once it was opened, both voluntary. These journals track the transfer of inmates between the Philadelphia and Graterford institutions, inmates received, released and paroled. The brevity of these journal entries is an asset because only those events deemed most important by the warden made it into the book. Also included are punishments for misconduct or rule infractions. The daily journals reveal the frequency of Board members' visits to both urban and rural institutions. These journals provide one means of tracking who visited Graterford in an official capacity and how often they visited. Finally, these journal reports describe the riots and uprisings at the Philadelphia institution, including the riots and strikes of 1933 and 1934, in the bureaucratic terms of the warden. Unfortunately, these journals do not include specific descriptions of the 1934 riot and strikes at Graterford. The deputy warden at Graterford submitted these details in separate daily reports to the warden which may be lost to history.
The Annual Reports of the Eastern State Penitentiary, make up a valuable set of evidence because, while compiled by the administration of the Eastern State Penitentiary, each contains a set of reports filed by independent organizations, specialized departments within the institution, and other agents of the correctional system. In 1931 the New Eastern State Penitentiary, started producing its own independent report. General reports on inmate conduct reveal what was considered good and acceptable and what was considered bad or punished by the administration.

The meeting minutes of the Eastern State Penitentiary Board of Trustees reveal many decisions, obstacles, and motivations not apparent in the brief daily journals or the broad Annual Reports. The minutes document how the Board of Trustees interacted with many different parties including: governors, the secretaries of welfare, inmates, experts, and innumerable others. Because these meetings were so frequent and the records so descriptive, they offer a lens into the complexities of the decisions being made, how Board members responded to challenges, and how the Graterford project itself changed over time. This content is revealing of the Board’s responses to the strikes and riots behind closed doors and away from the press.

Material from Philadelphia and regional newspapers comprise another key evidence set. Papers reveal which events, such as the 1934 riot, received the most publicity and the most consistent coverage across the board in the different papers. This information is useful in gauging the public’s interest in and awareness of both Eastern State institutions. I examine the language and rhetoric employed in these articles, how inmates were depicted, how inmate voices were expressed or molded, which individuals and groups are consistently quoted or cited, and which groups are not. I compare what administrators said about uprisings in public, with their thoughts as expressed in the Board meetings, or in the warden’s personal correspondence with the State
Police Lieutenant who was assigned to Graterford after the riot. The riot and the inmate strikes at both institutions received widespread press coverage.

The main sets of evidence introduced here play off of each other in many intriguing ways. Even within the closely related collections of prison administration records, there is wide variation in how outsiders viewed inmates, how they conceptualized incarceration, and how they understood their own roles and responsibilities. We see various well-intentioned parties, apparently working hard to build a better system and turn convicts into productive citizens. But there seem to have been shared flaws across these varied mindsets of the institution. I use these sources to examine the ways different actors projected on prisoners, how they classified inmates and measured their progress, and how humane treatment may have in fact neglected to recognize the existent humanness of those being “treated.”

SECTIONS

My thesis is comprised of four sections. In the first section I provide a historical backdrop for the construction of the New Eastern State Penitentiary at Graterford. An examination of Pennsylvania’s prison reform movement in the early twenties begins to reveal that the failure represented by the 1934 riot at Graterford had roots well before the first brick was laid. I briefly cover the history of the Eastern State Penitentiary and describe the conditions and issues at Cherry Hill that informed administrators’ expectations for the new prison. I consider portrayals of inmates and officials in a series of riots in early 1923. I then touch on the main design phase for the new institution from 1924 through 1928.

In the second section, I consider institutional and independent agency in the context of Graterford’s construction by inmates, and the introduction of a non-laboring inmate population to
the institution. I show how difficult it was for the incarcerated population to express anything to the public and that this in ways became *more* difficult when the new prison was built. I will show that for inmates incarcerated at Graterford in late 1934, a major, destructive demonstration was by far the most promising way to pursue a public response to their plight.

My third section focuses on the riot at Graterford in 1934, initial responses to the event, and how news articles presented various inmate actions. I evaluate the riot as a mass display of independent agency. I briefly compare the Graterford demonstration and a series of riots that occurred at Cherry Hill in 1933. I examine how officials and reporters expressed or obscured inmate agency, controlling depictions of the incarcerated population even when the Graterford riot forced the administration to acknowledge inmate demands. I also consider coverage of the strikes at both prisons following the riot.

My fourth section covers the intense restrictions of both forms of agency imposed in the inmates in response to their strikes and unruly behavior by some. I examine the classification system implemented at the institution in September 1934 and how this system and other programs of the institution generally increased and emphasized institutional agency while narrowing the possibilities for the exercise of independent agency.
I. DEMANDING REFORM: 1923-1928

The penal reform movement in eastern Pennsylvania was relatively stagnant during the first two decades of the twentieth century. Historian and sociologist Harry Elmer Barnes commented that between 1830, when “Pennsylvania was leading the vanguard of penal reform,” and 1920, Pennsylvania’s record of evolution was “one of all-too-tenacious adherence to its original system.”

Officials and administrators of the Eastern State Penitentiary were reluctant to embrace the progressive trends in penology that had taken hold in other regions. Between 1921 and 1925, however, this institution saw a dramatic transformation, at least on the surface. The establishment of a State Department of Public Welfare in 1921 centralized supervisory authority over all state institutions including penal institutions, reformatories, and hospitals. The Department controlled all financial expenditures for these institutions, though administrative bodies, such as the Eastern State Penitentiary Board of Trustees, managed the institutions.

During the winter of 1922-1923, the Philadelphia Public Ledger published a series of articles exposing to the public the appalling conditions existing in many of these state institutions, focusing especially on prisons and mental health facilities. Such conditions included heavy narcotics traffic, unsanitary kitchen and medical spaces, violence between inmates, guard brutality, and more. The exposé started with the Philadelphia County Prison at Holmesburg, which was described as “the worst in the country,” where the “actual conditions are horrifying in their inhumanity and ruthless cruelty.”

34 Barnes, Penology in Pennsylvania, 180, 183-186.
35 Barnes, Penology in Pennsylvania, 197-198.
State Penitentiary had been confirmed to the public. These antiquated prisons were regarded as "relics of barbarism" and penal reform in eastern Pennsylvania took off.\(^{37}\)

**"WELFARE LEAGUE" OR "CONVICT SOVIET"?**

Exposing the conditions at Eastern State, however, was not a simple process. Only after a scathing report following an intense investigation by the Grand Jury, the direct attention of Governor Pinchot, and the focused efforts of Secretary of Welfare Ellen Potter did the Board of Inspectors agree to make changes. In March and April of 1923, the *Public Ledger* reported on several inmate uprisings at Cherry Hill, offering timelines of events, details of confrontations between inmates and guards, and causes of the outbreaks. These same articles repeatedly quoted top prison officials—from the warden to members of the Board of Inspectors—flatly and emphatically denying that any such events had occurred.

First, on March 24, the *Ledger* reported on an outbreak in which "The convicts, shouting and turning the place into bedlam, continued... on their way toward the prison office...they were halted by the guards whose determined spirit took all the fight out of the disturbers. The convicts then shambled back to their cells."\(^{38}\) Guard William Rutledge was apparently injured to the point that he required treatment in the prison hospital. The reported causes were overcrowding and favoritism shown to wealthier inmates by Warden McKenty and the guards. McKenty denied the story as "a lot of bunk."\(^{39}\) Newly elected Governor Gifford Pinchot promised a sweeping investigation into the penal system, and promised to make prison reform a priority. The April Grand Jury investigated Eastern State Penitentiary and a county prison in Philadelphia, the judge...
requested a thorough inquiry into drug traffic, smuggling of contraband, physical conditions and treatment of inmates as well. Jury intended to speak with inmates.\textsuperscript{40}

In mid-April, while the Grand Jury investigation was underway, the \textit{Ledger} again reported on an uprising at Cherry Hill. This time it was more serious, the paper reported that there had been four days of almost continuous rioting, that heavily armed police had surrounded the prison and that ringleaders of the riots had been transferred to the Western State Penitentiary in Pittsburgh. Again, however, the administration denied this. J Washington Logue, member of the prison Board of Inspectors told reporters: “There has been no rioting or trouble within the prison during the last two weeks... The only people who have been on guard over the prisoners are the duly accredited keepers themselves.” When asked to confirm the “known fact” that guards and inmates had been hospitalized, Logue replied: “The man who would give out a story like that is a darn fool... The whole story is ridiculous. The prison is in fine shape, never was better and there was no trouble there.”\textsuperscript{41} It is unlikely that many members of the press or public bought the claim that Cherry Hill “never was better,” but Logue’s message was clear: whatever was going on within Eastern State’s fortress-like walls was prison business, and the administration was the voice of the prison.

The voices of these administrators told very different stories in recorded minutes of the meetings of the Board of Inspectors—which were private meetings—than they did in public, however. On March 13, 1923 seven men incarcerated at the Eastern State Penitentiary wrote to the warden and Board of Inspectors: “we beg to call your attention to evils (based on facts) existing in this institution at the present time.” This committee, or Welfare League as they called

\textsuperscript{40} “Grand Jury Hunts Drugs in Prisons,” \textit{Philadelphia Public Ledger}, April 3, 1923, Microfilm.

themselves, thoroughly documented sixteen practices or conditions of the prison that they found unacceptable, and respectfully made constructive, practical recommendations for the improvement of each. The “evils” they noted included rampant drug use, neglectful and unsanitary hospital conditions, frequent knife fights between inmates, uneven and arbitrary visiting privileges, accusations that guards were stealing inmates’ personal possessions, and the facility being rife with vermin. They also called the warden out for telling reporters that all inmates got two hours of exercise outside everyday, when in reality they only got thirty minutes most days. The men also expressed frustration at the inaccessibility of the warden, contrary to his statement in the Ledger that “If any of the convicts has any complaints to make he can come right into my office and marke (sic) it.” The inmate league directly addressed the voicelessness of the prison population: “We admit a man can get into the Warden’s office the point is this, what is he allowed to say, and for what amount of time is he allowed to remain before being shown the way out?” This comment suggests a facade of institutional agency available to inmates at Cherry Hill under Warden McKenty and the Board of Inspectors.

The administrative response to this was disappointing. The letter concluded: “Gentlemen we are not trying to tell you or the Warden how to run the prison— the suggestions we offer will help you as well as ourselves will you please give them your consideration, and advise us at your earliest convenience.” The Board requested that Warden McKenty respond to the claims in writing by their next meeting. In his response the warden accepted two minor recommendations. He approved the expansion of offerings at the commissary and providing inmates with...

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43 Letter to McKenty and Board, March 13, 1923, Board Minutes, 1-6.
washboards to do their laundry in their cells. Both provisions would slightly increase the men’s control over their spaces. He dismissed every other claim either without explanation or citing the voices of staff and guards; for instance the chef assured him that the food was “A No. 1,” and an officer promised that the “hospital [was] in first class condition.”

The Board accepted the warden’s responses and did not mention the letter again.

Four members of the original inmate committee then met with the Board again and requested that they be allowed permission to settle disputes between inmates as well as between inmates and guards. The Board refused to authorize this but asked the inmates to inform them of issues so that the authorities could help settle them. The committee refused to agree to go through the Board or warden as intermediaries. This evoked a strong negative response from the Board, but it seems that the committee’s reaction was not unreasonable. They had already tried communicating directly with the warden, they were well aware that the warden and other administrators regularly lied to reporters about the prison conditions, and when they had—only a week prior—respectfully presented specific concerns with reasonable recommendations to the Board, most had been dismissed. They were not so naïve as to believe that this time would be different.

The active role that inmates sought in the administration of the prison had precedent in inmate organizations called Mutual Welfare Leagues, which started at Auburn Prison in New York in the 1910s. Thomas Mott Osborne, a leading figure in progressive penology and one-time warden of New York’s Sing Sing Prison, allowed for a degree of inmate self-governance.

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44 McKenty’s response to Board of Inspectors, copied in minutes from March 19, 1923. Board Minutes, 8-14.
45 March 19, 1923, Board Minutes, 15-16.
46 McLennan, Crisis of Imprisonment, 369-372.
during his wardenship at Sing Sing through these organizations. Mutual welfare leagues run by inmates like those in New York popped up in several other prisons around the country. These groups combined institutional and independent agency, as inmates were participating in a contributing to the prison, while also being vested with authority and responsibility. By the mid-twenties most prison administrators had abolished or transformed these leagues. Administrators would allow inmates to direct athletic or certain recreational programs or activities instead so that they still felt they had some control or power in the institution’s operation. At Graterford, inmates in the early 1930s ran part of the Athletic Department. In theory, and occasionally in practice, inmate self-governance through the organization of Mutual Welfare Leagues at least allowed some members of the incarcerated population to directly address and shape the structure of the system. The inmate-directed athletic leagues allowed inmates to organize some of their own activities, but not the structure of the institution.

In April 1923, the press, informed by Eastern State officials, told a gripping tale of how a group of inmates, lead by “four of the most desperate convicts in the institution,” plotted to seize control of the prison from the guards and administrators, to rule over the other inmates as they saw fit. They depicted brutal, tyrannical inmates seeking absolute control of the prison. Officials, distinguishing between the rebel group and the rest, said nothing of the inmates committee’s demands as expressed in their communications with the Board. In the press, the closest thing to inmate demands expressed was the reiterated point that most of the inmates desperately wanted to obey the prison’s rules and asked the authorities to lock them in their cells.

47 McLennan, Crisis of Imprisonment, 369-372.
48 McKelvey, American Prisons, 276.
49 Annual Reports ESP, 1931-1934.
Logue's statements contradicted the story told in the private meetings of the Board of Inspectors. Logue explained that "those convicts who desired to obey the rules of the institution" inspired the Board to investigate the situation. He portrayed these inmates exercising institutional agency and even courage reporting that they were threatened and beaten "because they refused to join the ranks of the convicts who sought to create a Soviet form of government within the walls of 'Cherry Hill'".  

This practice of administrators citing inmate desires recurred through the unrest of 1933 and 1934 as well. They often elevated the men who apparently sought obedience. Sharing with the public a narrative that appropriated the inmate voice for institutional purposes. The Board's public version of events was consistent with McKenty's earlier comments about the administration's responsiveness, but it was not consistent with the Board's records. According to the Board meeting minutes, staff had reported on the League's meeting, not inmates, although they may have indirectly.  

The "Welfare League" inmates appear very differently from account to account, but none of these portrayals resembled the concerned, engaged inmate committee of the letter. The press did not need to dig deep to identify potential riot causes to explain the outbreaks, logical causes were easily identifiable. Initially they cited severe overcrowding and the resentment perception of favoritism. Newspapers initially reported that the masses of the inmates were rioting, but the administration told of how a small group was behind the whole thing and offered security: "The action of the inspectors in removing thirty-three convicts, all of them desperate men serving long sentences for highway crimes, has resulted in a change of morale in the ranks of the overseers.

51 "M'Kenty Is Out," Public Ledger.
52 March 22, 1923, Board Minutes, 15.
and guards and today the Eastern Penitentiary is without trouble or discontent."53 The press went along with this view, revising the depicted involvement of the inmates to match the officials’ story: that ten percent of the inmates were a violent, tyrannical mob and the other ninety percent just wanted things to go back to how they were.

The communications to the Board from the inmate committee depict them acting simultaneously as “independent” agents and institutional agents. They wanted to engage and work with the administration. Though they were challenging the ways things were run, the issues they sought to address were varying, and all together they would benefit themselves, improve the lives of others, and the functioning of the prison. While the context surrounding this incident is vague, as primary documentation is limited, on the surface this appears to be a model of the “good citizenship” that administrators, even before the administrative change, hoped to produce in inmates.

Undoubtedly, the succession of events in early 1923 led to the most drastic changes to Eastern State Penitentiary’s system of operations of any of these three uprisings. These changes were precipitated by the direct actions of a group of determined inmates, even with so much uncertainty surrounding their actions. To the press and Philadelphia public, these men went down as evidence of the absolute failure of the prison and dissolution of authority, never considered as men actually invested in bringing constructive change to the system. When an investigative committee identified all of the issues in the Welfare League’s original letter, committee members were praised for their bravery and thoroughness in exposing the prison conditions. The public was never made aware of the Welfare League’s initial recommendations, but still the press failed

53 Logue, statement to the press on Warden McKenty’s resignation and the conditions of the prison, quoted in “M’Kenty Is Out,” Public Ledger.
to recognize the contradictions of condemning the "secrecy which habitually surrounds the management of the institution [Eastern State] and the evasion and even deliberate perversions of the truth," without questioning the statement from the Board revealing "the truth" about these events. 54

"M’Kenty Is Out"

Between April and September of 1923 essentially the entire administration of the Eastern State Penitentiary had been replaced and restructured. Warden Robert McKenty was replaced by Colonel John C. Groome, who had been the first commissioner of the Pennsylvania State Police, and the prison’s Board of Inspectors was replaced by a new Board of Trustees, appointed by the governor. The Board of Trustees was to be comprised of individuals with experience in penal administration or reform. 55 A year later Pinchot, commented on the improved conditions of the Philadelphia institution after hearing a commissioned report: "no reasonable man could have listened to that report without being satisfied that a revolution has taken place... and that the most praiseworthy progress has been made." 56 This response captures the energy and optimism surrounding penal reform in the mid-twenties. Though an act to abolish the old penitentiary had been passed by the General Assembly in 1915, it was not until mid-1925 that the Pennsylvania State Legislature finally allocated funds for the selection and purchase of land for an institution.

52 "Prison Home Rule," Public Ledger.
to replace the urban penitentiary with “a model up to date penal institution” to be located outside of the city.\textsuperscript{57}

These administrators and officials relied too heavily on the efficacy of an advanced, scientific penal system, sharing the belief that their rehabilitative goals were inextricable from this new system. While they saw their duty as working for the good of the inmates, these administrators believed that they knew what the incarcerated needed better than the men themselves knew. This mindset prevailed through the 1930s. Inmate voices were only legitimized when they aligned with the administration’s perspective. Otherwise they were dismissed.

It is undeniable that the Eastern State Penitentiary improved greatly in terms of cleanliness and levels of violence in the first year of the new administration.\textsuperscript{58} It is also without doubt that the prison at Graterford was better suited to hold incarcerated men than the penitentiary in Philadelphia. However, while state officials, administrators, and members of the press alike were remarking on the institutional transformation, the voices of men on the inside were barely heard. Regardless of their intentions, those in control of the penal system maintained the assumptions and continued certain practices of their predecessors.

From the “Pennsylvania System” of solitary confinement to the “Auburn System” of labor and enforced silence, the United States has a long history of rigidly systematic incarceration. As Eastern State administrators and officials finally started embracing new theories in penology, they became invested in bringing Eastern State Penitentiary back to the forefront of penal reform in the United States, as it had been a century prior when the Pennsylvania System was instituted. This goal depended on building a new institution outside of

\textsuperscript{57} Press release copied in meeting minutes from May 5, 1924, Board Minutes, 164.

\textsuperscript{58} Summary, “Report to the Governor in re Eastern State Penitentiary Investigation, 1924,” 25.
the city that would “embody all the newest ideas of penology and when completed be far in advance of anything either in this country or abroad.”

Early on, many officials understood penal reform as a scientific endeavor: “I am convinced,” stated an ex-chaplain of Eastern State in 1922, “that psychiatrists ultimately will have to be employed properly to care for our legally sick seeking to restore them to good citizenship as we now seek to restore those physically ill.” As the physically ill needed to receive treatment to be cured, so too—in the minds of these reformers—did convicts require treatment to cure their criminal nature. Two assumptions are embedded in this analogy. First, that the whole incarcerated population was “sick,” and second, that this criminal sickness was incurable without the proper scientific treatment. These persistent assumptions were shared by most of those involved in penal reform in Pennsylvania and nationwide.

SELECTIVE LISTENING TO INMATE VOICES

Administrators, state officials, penologists, the press, and all those most prominently involved with this movement for penal reform voiced their assessments of the existing penal system and confidently discussed the infallible design of the new institution. These parties frequently projected on the incarcerated population, but they rarely consulted voices of inmates. Incarcerated or formerly incarcerated individuals were consulted at various stages in the mid-1920s transition period of Eastern State Penitentiary. Between 1923 and 1925 their voices were recorded or acknowledged in the press more consistently than at any point in the following decade.

Given the more forward thinking official stance on prison reform and the emergence of a public discourse on building an institution to replace Eastern State Penitentiary, one might expect that inmate voices were appearing in the press as contributors to the process of mending this broken system. From the exposé of Philadelphia’s penal institutions in 1922 through the creation of the commission to acquire land for the new prison in 1925, inmates’ voices were only published in two conditions. Reformers employed their stories to attest to the appalling state of the prison system or later to support claims that conditions were improving, or their voices were shared as the voices of nonthreatening victims of a cruel and broken system.

"AN ENLIGHTENED PUBLIC OPINION"

In March 1923, Secretary Potter cited “the public’s disinclination to believe a convict’s story,” as being one of the main obstacles to more humanitarian penal practices. While the public was disinclined to believing an inmate’s story, they were not numb to the plight of the prison population, they just demanded that official voices back up inmates’ stories. An examination of press coverage sheds light on the currents of public opinion regarding incarceration and the penal reform movement during this time period. Day after day in the winter of 1922-1923, articles cited the critical role of the public in demanding penal reform. “Nothing short of a wide-open investigation... will satisfy the public conscience,” proclaimed one writer. A prominent penal reformer praised the Public Ledger for its coverage of prison conditions,

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arguing that the only way to ensure change was to “direct attention to these abuses and help create an enlightened public opinion that will demand a change.”

A piece on the exposure of conditions in the Philadelphia County Prison at Holmesburg pushed that: “stories told by former inmates... cannot be dismissed summarily... as unworthy of credence because of their source,” stressing that “In cases like this the experiences of the prisoners are too often the sole source of information...” Three days later, Pantey Cusano, a former inmate at Holmesburg, was directly quoted on the front page of the Public Ledger describing the “farce” of official prison inspections:

When official visitors go to the prison in the morning... the bountiful meal to be eaten by the keepers at 11:30 is shown them, ‘See what our prisoners eat,’ jail attaches say, and the visitors go away praising the prison and its officials while 500 half-starved men drink burnt rye and eat dry bread in their cells.... never is anyone, unless he is an inspector, allowed to stop and talk to any of the convicts.

More than half of the article is Cusano’s direct account, but it is prefaced by a chaplain’s evaluation of the flawed system and his confirmation of the terrible conditions in the city’s prisons. This is seemingly to remind readers that Cusano was a victim of this system and perhaps to suggest the legitimacy of his story, although the author offers no commentary on either matter.

Both of these articles focus primarily on Holmesburg and not on Eastern State, but these acknowledgements of the perspectives of the formerly incarcerated are significant.

In general, the public seemed receptive to and even sympathetic to the plight of the incarcerated when they were perceived as unthreatening, passive recipients of the system. Warden Groome apparently received “thousands of complimentary telegrams and letters”

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63 Dr. George Kirchway quoted in “Prison Discipline Here Condemned By Criminologist,” Philadelphia Public Ledger, December 3, 1922.
64 “Medieval Prison Life,” Public Ledger.
following the radio broadcast of a concert by the Eastern State Penitentiary inmate band, suggesting the public’s support for constructive activities through which inmates exercised institutional agency.\textsuperscript{66}

\textbf{"VERY CAREFUL CONSIDERATION"}

In 1924, Governor Pinchot assembled a committee to investigate the Eastern State Penitentiary a year into its new administration. The investigative committee made a point of collecting charges, comments, and complaints from the men incarcerated at the penitentiary. The report highlights comments that confirm their findings of improved conditions of the institution. The committee classified inmate complaints as either serious, such as complaints of harsh treatment or cruelty; or minor complaints about food or the facilities. The committee writes that “very careful consideration” was given to all complaints and charges from the inmates they interviewed. It is hard to fully believe this, however, when the very next paragraph states the committee’s findings that all of the serious complaints were made by:

1. Former drug addicts or peddlers, who have given no indication of a willingness to go straight.
2. Men who have abnormal sex habits.
3. Men who had excessive privilege under the former administration.

Identifying these characteristics, the committee quickly dismissed these complainants as unreliable sources. The report goes on to state that “a large proportion” of these men, as assessed by a criminologist, were “either psychopathic, psychotic, feeble-minded or very emotionally unstable,” and that 13% of the inmates examined were “normal and of average or superior intelligence” while 87% were classified as “subnormal or abnormal.”\textsuperscript{67} The report continues and

\textsuperscript{66} Annual Report ESP, 1925, 16.
\textsuperscript{67} “Report to the Governor in re Eastern State Penitentiary Investigation, 1924,” 9.
one by one the inmates’ most common charges and serious complaints are rendered unjustified, grossly exaggerated, or simply false by the investigative committee. This scientific framework confirmed officials’ paternalistic superiority in deciding whose voices they valued.

Even the most well-intentioned reformers seemed of the mind that inmates were socially diseased subjects only curable by the rehabilitative institution. Secretary Potter met with four inmate delegates on a visit to Eastern State in 1923. She learned about the current system from them, and she “assured the men that the State Welfare Department was taking a genuine interest in the prisoners and that one of the objects of her visit was to assure the inmates of this interest.” There is no question that Potter cared about these men, and she took her role seriously, but the subtly problematic wording of her statement represents a flaw in the whole reform movement. Potter emphasized that she wanted to let the inmates know that the Department of Welfare was interested in the prisoners, she did not mention the inmates’ interests. The object of her visit was not to empower these men, but to tell them that someone else was acting in their interest. Fleisher reported in his 1925 Annual Report that the board would work “with unabated vigor” toward their aim: “the rehabilitation of prisoners, the re-making of men.” This notion of “re-making” men was foundational to the whole reform movement, and doomed it to failure.

This transformation of Eastern State Penitentiary does not reflect officials seeing inmates as more able, but rather seeing the new system as more able to “cure” and deal with them. Many of the administrators had their hearts in the right places, believing that society had wronged the prisoners and it was their duty to correct them, but they still regarded them as subjects.

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69 Annual Report ESP, 1925, 8.
In the official report of Pinchot's 1924 investigation, the committee concluded that the administrators were "performing their functions in the best interests of the prisoners committed to their care and in the interests of the Commonwealth." This assessment made the clear point those who controlled the institution were accountable for those who occupied it. Groome set out in another order: "Overseers will be held strictly responsible for the conduct of prisoners and the existing conditions during their tour of duty." There is no trace of any official documentation of or recognition of the responsibilities of the incarcerated from this time. While guards and officials were consistently "held responsible" for the men they oversaw and for their own mistakes and infractions; inmates were only "punished" for their behavior, they could earn privileges, but were never privileged with responsibility. The inmates had some institutional agency which would increase at the new prison.

True progressive penology emphasized fair, just, and healing practices but as McLennan points out, this was very different from practices designed to create the feel or appearance of fairness and perception of equality among inmates. This administrative mindset is apparent in many practices and documents and is integrally related to the forms of agency presented and restricted in the Eastern State institutions. In the Welfare League's letter they addressed issues of unfairness and favoritism, particularly with visiting privileges and mail. In the 1924 Governor's Commission report, one of the most commonly recurring ideas, and points of praise for Warden Groome was that many inmates felt that "everyone is getting a fair deal." In 1929, Board of Trustees president Henry Woolman announced "a single formula for the care of prisoners: 'Feed

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70 Summary, "Report to the Governor in re Eastern State Penitentiary Investigation, 1924," 25.
71 Order No.1 Pt. 3 from Warden Groome, recorded in meeting minutes from June 14, 1923, Board Minutes, 96.
73 March 13, 1923, Board Minutes, 2-6.
74 "Report to the Governor in re Eastern State Penitentiary Investigation, 1924."
them well and keep them well with proper medical attention. Keep them at work and then make them understand that the warden is giving everyone a fair deal.” 75

**DESIGNING A 'MODEL PRISON'**

The 1928 architectural plan for Graterford and accompanying report along with the Board meeting minutes from the same time show the Board members' and other officials’ commitment to designing the institution based on theories of classification and the goals of increased employment and education for the inmates. This report, prepared by the Board and architects, cited “the recognized principles of Penal Theory and Management” in setting requirements that the institution be physically secure, with a strong enclosing wall to prevent escapes; that the management should be centralized, for efficiency and consistency in maintaining order and discipline; that the population be divided into small and separate units so that classes could be segregated “at all times” to prevent the lower classes from threatening or contaminating the upper classes; and that housing be designed “to impose, gradually, responsibilities tending to adjust the departing inmate to conditions of the outside world,” this referring to a plan to have cottages for sixty to eighty men coming up for parole outside the prison wall. 76

The Board of Trustees worked with experts in the fields of criminology, psychology, education, and medicine to design the new prison complex. The design provided more facilities for education as well as for recreation, including larger school and library, a gymnasium, baseball diamond, and assembly halls for concerts by inmate bands or for showing films. The new prison would also increase the possibilities for training and employing men inside the prison,

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particularly with farming, industries such as weaving, prison maintenance, and even forestry outside the walls. A lack of space limited opportunities for employing inmates at Eastern State. The Department of Welfare could employ inmates in industrial production of goods so long as those products were for use by state institutions, from prisons to hospitals to schools.

Despite this increased variety of activities and possibilities, the new prison would be a rigidly structured environment, both physically and socially. The Board emphasized the maximization of direct sunlight in all enclosures, and the brick exteriors and stone trim were intended to make “the general atmosphere... that of an educational or industrial institution rather than a Penitentiary,” but like an educational or industrial institution, the occupants were to be carefully controlled. The layout and placement of guard towers ensured that there would be “no unsupervised areas in the entire enclosure.” The prison would embody the theory of “complete classification.” Each man received at the prison would be assigned a class determined by his history, intelligence, behavioral record, and a general evaluation performed by the resident psychologist. His class would determine which of the eight separate 400 man cell blocks he would be placed on, each having its own dining hall and separate direct access to the industrial workshop space which was designed to accommodate various industries, from metalwork to weaving, to shoemaking, and, according to the 1928 report, could be “arranged for permanent classification of employed inmates.” The Board stressed that this segregation of classes would “preclude to a great degree the menace of any considerable unavoidable congregation of inmates at any time.”

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77 Report of the Board of Trustees on the New Eastern State Penitentiary, Graterford, 1928.
78 Barnes, Penology in Pennsylvania, 185.
This concern for separating inmate classes was based upon the administration’s belief in rehabilitation as a delicate scientific process, assuming that the institution could successfully make higher classes into good citizens, but only if they were in an environment isolated from the troublemakers and hardened criminals of the lowest classes. They regarded these men as having very little chance of being successfully “remade” by any penal system and thus sought to keep them away from the higher classes who, they also assumed, were easily corruptible. The whole theory of classification was based on experts’ and psychologists’ determinations not of how much a man could change, but how much an inmate could be changed toward a predetermined sketch of what an ideal citizen should be. The administration planned the Graterford institution viewing inmates as subjects, as institutional agents, but not independent agents.

Historians discuss the shift into a managerial or administrative style of prison management, where wardens were to maintain peace and order in an institution rather than to really “treat” the inmates. Eastern State fits this transition in some respects, especially with Wardens Groome and Smith. Kahan argues that neither Groome nor Smith truly believed in rehabilitation and that this attitude permeated the minds of the staff. Kahan’s analysis, however, hardly accounts for the activity at Graterford and does not consider the Board of Trustees in depth. Especially at Graterford, the new programs and efforts for improvement that the Board and Captain Leithiser were pushing for were not solely for managerial purposes, they provided outlets for institutional agency because these things would be beneficial to many inmates. However, like the appearance of equality, the opportunities they were providing offered greater appearance of self-determination without acknowledging that this agency was bound to the limits

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80 McLennan, *Crisis of Imprisonment*, 450-452.
81 Kahan, *Seminary of Virtue*, 86.
of the penal institution, assuming that this system would fulfill the needs of the inmate as
determined by the officials and that these needs would align with the actual incarcerated man’s
needs.

Institutional agency at Eastern State increased through the 1920s. Inmates at Cherry Hill
had access to services that were optional, such as religious services, some recreational activities,
and the limited Education Department, which could only accommodate about one hundred
students each year and focused mostly on elementary education.82 The institution’s Moral
Instructor and director of the Department of Restoration, Linn Bowman, wrote in 1929: “No
restrictions are placed upon the prisoner who seeks counsel of his moral and spiritual advisor.
His own rehabilitation necessarily involves the restoration of broken faith with his loved ones.”83
Inmates had access to these services, but they had to “seek counsel,” they were still recipients of
services, still very controlled. Inmates could be technically “reclassified,” or move up a class, for
consistent good behavior, going to school, and the support of the psychologist. This offered a
degree of institutional agency, but despite the ongoing discourse of classification, the prison did
not have a well structured classification program. Examples of the press or administrative
records recognizing inmates for individual actions or merits that were more independent were
rare. To be eligible for parole, one needed to have a job and also meet specific education
requirements.84 Also Board of Trustees would evaluate. So parole was not based on “good
behavior” alone, though conduct record was part of it, it was also how much one participated in
or contributed to the institution.

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82 Annual Reports of the Director of Education, Annual Report ESP, for years 1926-1929.
84 April 5, 1934, Board Minutes, 543-545.
To consider members of an incarcerated population either resisting or acting outside of the roles prescribed for them by the institution, it is natural to imagine disorder, or rule breaking. For instance, strikes or riots, like in 1923, or lesser forms of resistance, such as refusing to obey orders, wasting food, or leaving one's cell without permission, the most common actions that landed men at Eastern State in solitary confinement during the late twenties. During the first few years of construction at Graterford, inmates had more room to assume roles which may have still benefited the institution, but were inconsistent with defined expectations and thus allowed inmates to exercise more independent agency.

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II. INMATE AGENCY IN THE CONSTRUCTION OF GRATERFORD: 1927-1933

During the 1927-1933 era the administration entered relationships with inmates that allowed more room for independent agency. These men were not independent from the prison, but they were more than subjects. The administration needed the men to work hard and efficiently to construct the new prison and they carefully selected which inmates they could rely on to not attempt to escape.

On the evening of July 24, 1928, a fire on the site of the new penitentiary consumed a hay barn and stables. Hay in the barn, which had been roasting all day in extreme summer heat, spontaneously combusted, causing the blaze. At this phase of construction, about two hundred inmates were housed in tents and temporary barracks rather than locked in cells and the water system at the site was not yet adequate to easily control such a blaze. The guards first noticed the fire, but they needed more hands to fight the flames while waiting for the nearest fire departments. They quickly rallied help from inmates who were housed in nearby temporary barracks. As some men hurried to help prevent the fire from spreading, a small group of inmates took on the duty of rescuing the twenty work horses which were stabled in the lower level of the barn. They rushed in as the fire raged nearer and nearer reaching and rescuing fifteen of the horses, by the time the men reached the last five horses they had been overcome by smoke. Between twenty and thirty of the inmates on site played a critical role in preventing the fire from spreading to the nearest buildings, which included the guards’ quarters.

These inmates’ voices and names were not present in any press coverage of the event. The men’s actions, however, spoke loudly and clearly, presenting a rare portrayal of the inmate as hero, rather than the inmate as convict or docile subject. A brief piece in the Reading Eagle
opened: “Thirty convicts risked their lives in saving 18 horses when fire destroyed a 2-story barn at the site of the new Eastern Penitentiary at Graterford last night.”86 A reporter for the Public Ledger framed the inmates in less heroic terms than the Eagle, beginning with the passive statement: “Nineteen convicts were mustered into emergency service as fire fighters last night...” but the men were still undeniably heroic in the story for rescuing the horses.87 The men contributed to the institution by preventing further fire damage and saving the prison-owned horses, but they also engaged with extra-institutional forces, namely local fire departments, and received recognition for courage in their own right: “The guards praised the prisoners for the manner in which they assisted fire companies... and their bravery in rescuing the horses.”88 Even the guards recognized where the men’s ‘assisting’ ended and more independent acting began.

Captain Elmer Leithiser, Deputy Warden in charge at Graterford recounted this event in his official Annual Report, describing “the heroic work of Inmates.” The different voices of reporters and officials documenting the fire all had different tones. What they chose to emphasize, to include or exclude, depending on the intended audience and other factors gave slightly differing versions of the story. More telling than the differences, however, are the commonalities between these accounts. In the Public Ledger, the Reading Eagle, and the deputy warden’s report alike, the most important detail was not that the fire occurred, nor that inmates helped to put it out, but that the inmates rescued horses from a burning building. The fire was a freak accident. The officials expected the inmates to follow orders to help extinguish the blaze, especially the inmate fire detail whose contribution especially was a display of institutional

88 “Convicts Save Horses When Fire Sweeps Barn,” Reading Eagle.
agency. Rescuing the horses, however, was remarkable to the press and prison officials because it was an action of independent agency that was positive and very human.

In this less structured prison environment, the unexpected and urgent nature of the fire provided conditions for these inmates to take actions that were not evaluated along the lines of discipline, order, or rehabilitation. The men were celebrated for their individual contributions and their bravery. The article in the Public Ledger detailed the specific contributions of the group of men, noting that it "included six prisoners trained as a fire detail, twelve men who assisted the guards and a man, a former engineer, to operate the big pump." Captain Leithiser also identified three individual men: "Inmates C-3508, C-3544 and C-3406 were particularly conspicuous in their efforts to save the horses." It is significant that these specific inmates, though only identified by number, were recognized for their heroic action, especially as Leithiser did not mention the guards or the firemen, and gave no information about how the fire was put out.

"BUILDING THEIR OWN PRISON"

Press coverage of the new prison that did not mention rehabilitation, administrative views penal reform, overcrowding, or Cherry Hill, was rare. These inmates were portrayed as individuals with skills, as "men." Not just the inmate convict, but the inmate fireman, the inmate engineer. This was not an isolated incident; individual recognition increased in different ways in both the press and official documents. Building Graterford using mostly inmate labor meant that the men were still serving prison sentences as they built the facility, so the construction site

89 "Convicts Fight Fierce Fire at New 'Pen' Site," Public Ledger.
needed to serve as a prison well before the first cell blocks were built. The relative flexibility of
the construction process made room for the recognition of inmate as doctor, inmate as druggist,
inmate as cook. Official administrative reports reveal cases where inmates took on important
jobs to support the functioning of the new institution. These were institutional agents, as they
were working for the prison, but the institutional vision for Graterford did not include using
inmates as doctors or engineers. Having men utilize their expertise from the outside to fill a
typically civilian position made such appointments a form of independent agency.

Inmate doctors and others with prior first aid experience became essential to the
functioning of Graterford during construction for their individual contributions. The resident
physician at Eastern State only visited the new prison once a week from the beginning of work in
1927 until 1931, the rest of the time inmates tended to prisoners and oversaw the temporary
hospital and medical department at Graterford. Describing a Grippe epidemic that struck
Graterford in 1928, Captain Leithiser wrote that the resident physician "with the assistance of
Inmate C-4937, who is a medical doctor, and C-4466, a druggist, all of the sick men were
properly cared for."91 At the Philadelphia institution and other prisons it was not uncommon to
have inmates working in the medical department, but it was far rarer to have inmates functioning
essentially as full time doctors. The inmate physician, number C-4937, continued to appear in
Graterford’s Annual Reports through 1933, treating inmates daily.92 He appears to have been
released during the latter half of the year.

Popular opinion in Pennsylvania in the mid-1920s held that the government should be
responsible for the care of convicts, and Philadelphians were shocked and displeased by the

exposure of the unsanitary, cruel conditions of the city’s drug-riddled prisons. The public, in general, supported more humanitarian methods of incarceration and punishment, such as those promoted by the Department of Welfare, but it is clear that many still held fears of convicted criminals as dangers to society even when they were supposedly being rehabilitated. The conflict between fear of the criminal and humanitarian rehabilitative ideals, complicated public opinion regarding the new prison. These tensions are evidenced in news coverage and its divergences from administrative documentation of Eastern State and the construction of Graterford.

Public unease about the new prison was not solely due to fear of convicts as dangerous or violent. Two articles appeared on the same page in the Public Ledger the morning after the first day that inmates went to Graterford to begin work, July 18, 1927. The first story covers the day of work at Graterford; the second, a recent evaluation of the Rockview Penitentiary in western Pennsylvania which had been under construction for twelve years. Penologists regarded Rockview as “a costly and unsatisfactory experiment in prison building.” Taxpayers wanted assurance that the construction of a new “experimental” state institution at Graterford would not be a waste of their money. Alfred Fleisher, president of the Board of Trustees offered assurance when he declared: “The new prison will be so different from the present one and every other prison that it will be startling.”

News reporters reflected the public’s unease with their tendency to emphasize the new institution’s security features and the trustworthiness of the inmate laborers on site, especially during the first two years of construction. This was before the thirty foot “super wall” enclosing the sixty-three acre prison complex was completed. After the inmates’ first day on site, the Public

93 Blomberg and Lucken, American Penology, 63-67.
95 “Convicts Start Work on New ‘Pen,’” Public Ledger.
Ledger assured readers that these men, who were all nearing the ends of their sentences, were "regarded as worthy of trust."\textsuperscript{96} Reporters were also fond of using the term "trusties" when referring to men working outside of the fence or wall. "Trust," however, was not a word used in any official documentation of requirements for transfer.

These papers projected emotion onto the inmates, painting pleasant pastoral scenes and offering descriptions tinged with paternalism: "the men had had a marvelous time—they had seen corn and wheat growing and heard the soft slapping water of the Perkiomen [River]... One of the men had rolled like a boy in the thick grass." They also described the men's work: "They worked and they liked it. Perhaps never before in their lives had they worked so cheerfully... One dug a ditch as though his life depended on it."\textsuperscript{97}

An article in the Reading Eagle from August 1929 illuminates these conflicting trends, switching back and forth between descriptions of the prison's security features and the impossibility of escape, and humanizing descriptions of inmates. The article begins on a bleak note: "On a knoll overlooking the picturesque Perkiomen Valley... more than 800 social outcasts, men who have sinned against society, are building their own prison." The article continues on to describe the "gaunt concrete wall," and the "powerful searchlights thrown about the enclosure at night time." The article quotes Deputy Warden Leithiser's statement that a prisoner's chance of escaping is "practically none," due to procedures for constantly accounting for all inmates, emphasizing that the "endless checking by guards never ceases."\textsuperscript{98}

\textsuperscript{96} "Convicts Start Work on New 'Pen,'" \textit{Public Ledger}.
\textsuperscript{97} "Convicts Start Work on New 'Pen,'" \textit{Public Ledger}.
\textsuperscript{98} "Over 800 Convicts at Work on New Penitentiary," \textit{Reading Eagle}, August 10, 1929, Google News Archives, http://news.google.com/newspapers?id=wu0xAAAAIBAJ&sjid=deEAAAAIBAJ&pg=5327%2C1839101
Suddenly, however, the tone of the piece shifts completely as the reporter describes how after a few minutes inside:

...one loses almost entirely the thought that he is in a prison. Here you find the same human beings that you would rub shoulders with in any building operation. Men are not walking around with a scowl on their faces, there is a negligible amount of loafing, and the prisoners, to all outward appearances, are happy and making the most of their conditions. Smiles are not wiped out among men who enter those high walls.99

Indeed, this reporter was projecting emotions onto the inmates, but with the explicit acknowledgement that this was based on observation, saying that the men appeared happy, not that they were happy. These were hardworking humans. The reporter also writes about individuals, such as the “kitchen mechanics at work on the evening meal,” introducing the head pie-baker, who is “only a young, slender fellow, but he takes pride in his work and is particular in putting a fancy curl around the crust.” Out on the grounds the reporter meets another prisoner, who is in charge of one of the prison’s pumping stations and who, “when he is not busy, finds pleasure in petting two kittens, which he keeps in a box in a small station.”100

These men were depicted as individuals with personalities. During construction, reporters could more freely interact with the inmates personally, in a way that had never been possible at Cherry Hill. These personal interactions with individuals from “the outside” marked another opportunity for a degree of independent agency. Construction began winding down in 1931 and with it this particular form of independent agency.

This type of coverage served to differentiate between men, but also perpetuate a rosy vision of life on “the farm,” as it was often called. The men at “the farm” were mostly engaged in

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99 “Over 800 Convicts at Work on New Penitentiary,” Reading Eagle.
100 “Over 800 Convicts at Work on New Penitentiary,” Reading Eagle.
strenuous labor, summarized here in the 1928 annual report, the inmates’ work “consisted of grading, trench digging, brick-laying, carpentry, teamsters, etc.”\textsuperscript{101}

**ONSET OF THE DEPRESSION**

In early 1930, construction at Graterford was ahead of schedule and the Board was well under the original budget for the work that had been completed. However, the onset of the Great Depression forced the State Legislature to cut back funding for the new penitentiary. The Board was forced to slow construction and crowd hundreds of men back into Cherry Hill, as they had no work for them at Graterford.\textsuperscript{102} The rising inmate population compounded the Board’s economic limitations as it was growing constantly more expensive just to feed and cloth the inmates. The Board remained committed to closing the century-old Philadelphia institution, but they were forced to continue operating two prisons with more than a thousand men at each, without the funds to fully staff both prisons. Members of the prison administration, Welfare Department officials and prison staff saw this as a time of compromises and restrictions. The library could not afford to buy new books; parts of the design for the new prison, such as the parole cottages were put on hold; the school could not pay civilian teachers or even afford to finish building classrooms.\textsuperscript{103}

These setbacks, however, were accompanied by unexpected opportunities for some of the incarcerated men at Graterford to act out unique, individual contributions to the running of the new prison that were more permanent. The bookkeeping department at Cherry Hill had been

\textsuperscript{101} “Construction,” *Annual Report Graterford, 1928*.
\textsuperscript{103} C.E. Hedden, “Report of the Department of Education,” *Annual Report Graterford, 1933*, 55; Minutes from the meeting of the Secretary of Welfare E.S.H. McCauley and the Board of Trustees, April 9, 1930, Board Minutes, 202-205.
covering both institutions, but by 1930, Graterford’s high population necessitated the creation of an independent department. The Board would have hired “duplicate civilian clerks” for the Graterford department, but they lacked the funds to do such. Here inmates are exercising the same form of independent agency as the inmate doctor.

Aloysius Banmiller was committed to Eastern State Penitentiary in October 1927. Sentenced to a minimum of fifteen years, Banmiller was brought into the fortress-like Philadelphia prison and assigned the number C-4188. Five years later, only a third of the way through his minimum sentence, Banmiller was petitioning for a pardon, and he was enthusiastically backed by the entire Board of Trustees. All eight members of the Board signed a glowing review of Banmiller’s character and contributions to the institution which they submitted to the State Board of Pardons. While they did not offer specifics, the Eastern State Board members regarded Banmiller as an asset to the institution, declaring that “he has demonstrated distinguished ability, rarest personal devotion and a most commendable dignity in personal manner. He is trustworthy and diligent and merits exceptional recognition by this Board.”

It is unclear how Banmiller’s talents were discovered, but once they were “his unusual abilities were at once dedicated to the most delicate tasks of our clerical service.” He was appointed Chief Clerk at Graterford, a position critical to the administrative functioning of the prison. The administrators recognized his abilities and he was valued as a unique individual. “Our prayer is for the civil restoration of one of our outstanding human products.” They still

105 Minute submitted to State Board of Pardons by Eastern State Penitentiary Board of Trustees, June 8, 1932. Board Minutes, 477.
106 Minute submitted to State Board of Pardons by Eastern State Board, June 8, 1932, Board Minutes, 477.
107 June 8, 1932, Board Minutes, 477.
regarded Banmiller as a “product” of the institution and there is note of pride in this statement. Intending to hire him as a civilian to continue in the same position, the Board members, in their joint statement from June, 1932 wrote: “We hereby submit a prayer for pardon with the primary aim of the efficiency of administration in the Graterford prison.... We feel assured that we can find no equal from civilian groups.” Banmiller was pardoned and on July 14, 1933, the Board officially hired civilian Banmiller as principle clerk at Graterford.

While most men were not praised so highly, the economic situation forced the administration to seek capable inmates to perform “civilian” jobs. “After careful selection, inmates are used wherever possible...in the performance of clerical duties or other duties that would ordinarily mean the employment of civilian clerks and mechanics...” This allowed more inmates to exercise independent institutional agency as prison officials saw them in a different light and gained new appreciation for their unique, individual contributions: “We have been fortunate in having a number of inmates who have been giving meritorious service without supervision.”

**TO KEEP CHERRY HILL?**

For prison officials, 1932 and 1933 were defined by decision-making regarding the future of both institutions. They could keep up construction at Graterford and transfer all inmates there, or they could halt construction of new cell blocks, capping Graterford’s population at two thousand men. The official discussions about the future of the institution would affect most of the Cherry Hill population, and inmates at Graterford too. Welfare Department officials and

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108 June 8, 1932, Board Minutes, 477.  
109 July 14, 1933, Board Minutes, 511.  
administrators consulted with a mélange of experts outside the Eastern State Penitentiary, as with the planning of Graterford, but they did not actively consult the inmate population. It was the state’s and officials’ duty to manage and care for the prison population, it would be unreasonable to expect or believe that they would have even considered seeking inmate input on the decision. The decision was not about pleasing the inmates or meeting all their needs, it was about adapting a new system of operation for the Eastern State Penitentiary and working with what they had.

For an inmate at Cherry Hill, however, this decision could mean staying in Philadelphia or transfer to Graterford.

Additionally, opportunities to exercise independent agency productively were diminishing as the transition and construction period wound down. Food, contact with the press, interviews. These things would all impact Graterford, but at Cherry Hill, the promise of being automatically transferred to the “New Eastern State Penitentiary” was slipping away.

In September and November of 1933, Cherry Hill was shaken by violent rioting. Press said overcrowding and idleness which were the fault of political bickering caused the riots, but perhaps it was not so spontaneous. The administration pinned the November outbreaks on a relatively small group of about ninety inmates, less than ten percent of the prison’s population. These men were portrayed as chronic “trouble-makers” and “malcontents,” who were unreasonable and scientifically hopeless for rehabilitation. A reporter quoted a rioter through a guard saying: "We're out to get an investigation that will amount to something down here, and if one or more of us have to get beaten up or shot—or even killed—we're going to continue our
tactics until we get it.” Even when their demands were voiced through the press, they were presented as unreliable due to this framing.

There was no outlet for challenging the structure or leadership of the institution, or the greater penal system. Inmates could “interview” with officials or with religious leaders but the purposes of these interviews was generally to help the men adjust to imprisonment, reflect on their struggles and challenges, and to find a channel for reaching the outside world. Religious leaders and volunteers especially would act as intermediaries between the inmate and his family on the outside and some volunteers were committed to helping men explore parole and secure a job on the outside. The word interview connotes an active exchange but it seems that most of the time men would receive guidance or be offered pre-determined services and generally the inmates would not be directing the actions of the intermediary. In 1925, the Moral Instructor reported that inmates could come and interview about any and all topics excluding the maintenance and administration of the prison. This disclaimer is representative of the whole system of interviewing where questioning the self and seeking moral guidance and personal and spiritual growth was encouraged, but questioning the institution was highly discouraged.

Interviewing was voluntary and by reports seems to have been beneficial for many men, they could share their voices and voices their needs, but there is little evidence that their concerns were addressed beyond the context of the meeting. At Graterford in 1934, inmates could interview with Leithiser or one of the assistant deputy wardens. The annual reports for 1933 and 1934 list the following as the most common reasons that inmates interviewed with officials: for advice on family matters and other personal affairs; regarding disciplinary matters;

to request special visits, interviews with the Board of Trustees, information on parole and pardon; seeking transfer to a different institution, or for help obtaining employment inside the institution or outside upon release. Interviews with volunteers or non-officials were much more infrequent as it was much harder to travel 30 miles out of the city regularly, even when well over half of the total Eastern State population was at Graterford. This meant that getting one’s voice beyond the institution was much harder, limiting the degree of independent agency provided by communicating with an individual who was not part of the administration.

**NEW THEORY OF CLASSIFICATION**

Penal reformers in Pennsylvania adopted a newer theory of classification, inspired by New York’s prison system, in the early 1930s. The system of classification that the Board envisioned for Graterford in the late twenties was based on the idea that different classes of inmates would be segregated within one institution. The newer model placed different classes in completely separate institutions. Institutions for low-risk inmates would expect the least resistance and resentment from the men there. These inmates, like the trusties, in the eyes of the administration, would have the most to contribute to the institution, so they would have the highest degree of institutional agency, and they would be the most self-sufficient within the system.

The process of actually implementing a new classification system began partially in response to the 1933 riots. The investigative committee recommended structured classification

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and from December 1933 through June 1934, Dr. G.I. Giardini, the resident psychologist at the Western State Penitentiary directed a survey for the Department of Welfare to classify all state prisoners at the main state institutions, including both Cherry Hill and Graterford. A team of psychologists worked at each institution classifying inmates according to a three-phase examination comprised of an intelligence test, a review of the inmate’s social history, and a psychoneurotic inventory. With this survey the Welfare Department was looking to know the make-up of the state’s prison population as they fit into seven classes. This data would help them in determining how to classify the incarcerated population “for purposes of treatment and training.”

The seven classes were divided into two groups: normal and abnormal. Abnormal inmates fit into three categories, in Class I-A were “definitely insane cases,” people who were committable to mental hospitals. “Definitely psychopathic cases” made up Class I-B, these inmates were “not trainable” in ordinary institutions due to “serious anomalies of judgement, character, conduct and sexual life,” were not considered insane. The third class of abnormal inmates, Class I-C, were “definitely feebleminded cases.” These were men who were deemed incapable of “looking after themselves in a social environment of average complexity” and required “paternalistic supervision.”

There were four classes of “normal” inmates. Class II-A was comprised of inmates whose “past conduct and social history in civil life” warranted a “favorable prognosis on release.” These

118 Giardini, “Preliminary Classification,” 206.
119 Giardini, “Preliminary Classification,” 208-209.
cases showed “little need for reformatory training, except possibly, to increase their earning capacity.” This class was suitable for incarceration at a minimum security prison like Rockview in western Pennsylvania which was a farm prison and did not have a surrounding wall. Class II-B, the largest class, making up roughly half of the state’s male incarcerated population, were men for medium security facilities, they required minimum custody but were not fit for minimum security due to: “long sentences, detainers, mild personality anomalies, not altogether favorable social history, [or] mild or occasional disciplinary infractions.” These individuals were considered “amenable to training.” Class II-C was the smallest class. These men were “not distinctly abnormal,” but were weak or incapacitated and deemed unfitted for discipline. This class would be split between hospitals and minimum security prisons. Finally, Class II-D were maximum security cases, possibly requiring “permanent segregation.” These men were “considered incorrigible under known means of training and treatment” and might be referred to as “habitual or professional criminals.” When officials spoke of riot ringleaders and “troublemakers” in 1923 and 1933, they were placing the men in this class where the possibility of reform or rehabilitation was considered “very remote.”

<table>
<thead>
<tr>
<th>Classification Survey Conducted December, 1933 - June, 1934</th>
<th>Cherry Hill</th>
<th>Graterford</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Class I: Abnormal</strong></td>
<td>#</td>
<td>%</td>
</tr>
<tr>
<td>Class I-A</td>
<td>107*</td>
<td>6.1%</td>
</tr>
<tr>
<td>Class I-B</td>
<td>63</td>
<td>3.6%</td>
</tr>
<tr>
<td>Class I-C</td>
<td>38</td>
<td>2.2%</td>
</tr>
<tr>
<td><strong>Class II: Normal</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Class II-A</td>
<td>312</td>
<td>17.7%</td>
</tr>
<tr>
<td>Class II-B</td>
<td>944</td>
<td>53.9%</td>
</tr>
<tr>
<td>Class II-C</td>
<td>31</td>
<td>1.8%</td>
</tr>
<tr>
<td>Class II-D</td>
<td>257</td>
<td>14.7%</td>
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<tr>
<td>Total classified</td>
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<td>100%</td>
</tr>
<tr>
<td>Total population (May 31, 1933)</td>
<td>1606</td>
<td></td>
</tr>
<tr>
<td>Total population (May 31, 1934)</td>
<td>1152</td>
<td></td>
</tr>
</tbody>
</table>

* 103 of the 107 had already been transferred to mental hospitals. Only 4 Class I-A inmates were actually at Cherry Hill.

Data published in Giardini, “Preliminary Classification.”

In the Annual Report from May 1934, the Eastern State Penitentiary Educational Director, C.E. Hedden, outlined tentative objectives for the department if Cherry Hill was classified as a maximum security prison and Graterford a medium security institution. Cherry Hill would house inmates from class II-D. The maximum security prison would provide fewer educational opportunities and training programs for inmates, focusing mostly on preparing inmates for employment within the institution. At the medium security prison, housing class II-B, inmates would have access to “Thorough training in such commercial occupations as promise probable outside employment.” They would also have a wider range of academic and recreational programs that might help them gain useful professional skills for life on the outside. Whereas art, music, and literature would be available in medium security institutions to the extent that they could “provide professional skills and techniques having either economic value or providing avocational recreation,” in maximum security Cherry Hill the availability would be based on their “value from the standpoint of recreational or avocational therapy.”

The maximum security institution was all about establishing a controlled environment that was limited to the institution, and in many ways ignored the inmate’s relationship or possible return to society. Independent agency would be more thoroughly cut off when the whole institution was under the same strict control, but seeing the inmates only in this enclosed world narrowed administrators’ limits for institutional agency too. In the ideal maximum security prison, the inmates’ actions would serve the institution, and actions to serve the self would be largely geared toward building a self that would be a more productive inmate. This might get one transferred to a medium security prison with more opportunities for institutional agency and for

one to exercise independent and institutional agency jointly. The administration and officials would still determine what activities would be appropriate or productive.

The psychologist in charge of the Eastern State classification project, J. D. Shearer, reported that many men "were still in a non-cooperative mood as a result of the disturbances of September and November." 123 Some men refused to participate in the examinations or did not cooperate, though Shearer did not specify the nature of their uncooperativeness. These men's actions could be read as more than just a "mood," but as resistance to the impending project of institutional classification, of which they were aware. These inmates were exercising their independent agency.

123 J.D. Shearer, "Report of the Psychology Department - Classification Project," 2, in *Annual Report ESP, 1934.*
III. GRATERFORD RIOT AND STRIKES: AUGUST, 1934

Between 1932 and 1934 the opportunities for institutional agency and independent agency at Graterford shifted. In late 1932, locking mechanisms were finally installed on cell doors at Graterford.\textsuperscript{124} Construction work was winding down and the non-laboring population of the prison growing. After the institution’s official opening in 1931, news reporters visited the prison with less frequency, and in 1932 the Welfare Department had to lay off contracted civilians working on construction.\textsuperscript{125} These circumstances effectively limited independent agency for most of the population simply because they had less contact with outsiders. They still had the privileges of newspaper and radio access for every inmate, so they could engage with outside society through those means, but in general the population became less visible.

During the same period, institutional agency also shifted for inmates. The environment and institution grew more structured in terms of programming and personnel. At Eastern State Penitentiary an independent Department of Psychology was created in 1932 and, along with the Education Department, became more established at the Graterford institution. At the same time as there were more opportunities, the administration’s relationship with the inmates was changing. During the intensive construction phase, the administration intentionally provided Graterford inmates with higher quality food than at Cherry Hill, and in larger portions because of the strenuous nature of the men’s work. Leithiser remarked in his 1929 report on Graterford that the inmates were “all well satisfied with the quality and quantity of food served and pleased with our variety of Menu.” He stated that the inmates’ satisfaction with the food was credited for “the

\textsuperscript{124} “Construction,” \textit{Annual Report Graterford, 1933.}

\textsuperscript{125} Warden’s Daily Journals show a decline in members of the press visiting the Graterford institution in the early 1930s. Roll #s 6613, 6614.
greater amount of [the inmates’] interest and willingness to work hard long hours everyday.”126

As construction work decreased and the non-laboring population of the prison increased, the wardens terminated this practice. The relationship between inmates and officials was less of an exchange, the deputy warden stopped rating the inmates’ “contentment” and hard work and began emphasizing obedience and “satisfaction.” This linguistic shift occurred between the 1933 and 1934 annual reports.

“MODEL JAIL FAILS TO LIVE UP TO ITS ‘RIOT PROOF’ NAME”

On a Saturday morning in August, 1934, a riot broke out at Graterford Prison. Newspapers from the New York Times to the Philadelphia Inquirer to the Reading Eagle offered readers riveting accounts of the so-called “Battle at Graterford.” The Philadelphia Record told the tale of a “Reign of Terror by Frenzied Mob.”127 A reporter for the Inquirer described how one could hear “the screams of ‘stir-mad’ men” from outside the prison “as 148 convicts ran amuck with bludgeons...”128 Others described “cursing, shrieking ‘men in stir,’ wielding clubs, axes and bats,” a “wrecking party,” and a “stampeding frenzied pack... [on] their mad career of destruction.”129 Members of the press flocked to the scene at first report of the outbreak, but none were allowed within half a mile of the thirty-foot wall surrounding the prison until calm had been

129 Sercombe, “200 Desperate Prisoners Wreak $100,000 Damage in Bloodless Riot” Reading Eagle; “200 Convicts Riot at Graterford: For Two Hours They Sweep through ‘Model’ Prison and Cause Damage,” Special to the New York Times, August 26, 1934, ProQuest Historical Newspapers; Mawhinney, “150 Convicts Riot at Graterford,” Inquirer.
restored. The fact that all of these accounts were reconstructed after the riot had ended is crucial to interpreting them.

Stripped of all dramatic descriptions, assumptions and rhetoric, newspaper coverage from the day following the riot tells this account: at around 9:00 A.M., between thirty and forty inmates pulled up to a loading dock behind the main kitchen. Over the next two hours they broke windows, destroyed machines, new industrial equipment, furniture, and other miscellaneous fixtures and items in the kitchen, the laundry facility, the industrial shops, and one or two offices. Large amounts of food supplies, including hundreds of pounds of flour were spilled or destroyed. Rioters did considerable damage in three of the five cell blocks, setting fire to mattresses out in the hallway, damaging sinks, toilets, and radios in cells. They set fire to an old barn and the temporary school building. The number of rioters swelled to between 150 and 200 men, all white, many of them were shouting, some demanding better food, and some demanding more privileges and changes to sentencing laws. Many rioters used makeshift weapons to destroy furniture, windows, machinery, and other items, some had knives from the kitchen and some had baseball bats. Approximately 1400 of the 1600 men incarcerated there did not participate in the riot.

Other than some cuts and bruises, no inmates got hurt, and rioters did not attack any of the guards, who, by the institution’s policy, were not allowed to carry arms. About 150 state policemen and highway patrolmen gathered at the entrance to the prison and entered, heavily armed with sub-machine guns, riot clubs, and teargas bombs. The rioters had gathered on a small hill, still shouting. The police encircled the rioters and they did not resist. Guards turned a heavy wire enclosure into a makeshift cage and the 148 inmates who had been surrounded were enclosed in it. They were kept there from noon well into the night, possibly until morning.
No one knew quite *what* to make of the event on the first day after the riot. Close reading of this initial press coverage reveals contradictions and inconsistencies as reporters tried to process this unexpected event. It was an expensive and destructive riot, but bloodless; police rushed to the scene with heavy arms, but never had to use them; the “riot-proof” model prison had failed, but no one could agree on what the problem was. Reporters did not all have the same sources, details got mixed up or lost, and they had to tell a story that would sell newspapers. Recognizing that these factors contributed to shaping the articles covering the riot, their interpretations reveal varying assumptions about Graterford’s inmate population, from the rioters to the “trusties,” as well as assumptions and beliefs about the prison itself, the police, guards, and the administration. The rioters, by nature of their actions, exercised independent agency by acting against the rules of the institution and trying to engage the general public by their own means. This act of resistance led to their voices entering a public discourse, even as their messages were garbled.

The tone and content of the news coverage shifted day to day from the riots through the strikes and depending on the institution. Using militaristic language, many reporters painted the riot as a battle scene in which the savage rioting mob was defeated by the heroic police force, this language reappeared throughout the riot and strikes coverage. This militaristic portrayal, however, was not the only narrative reporters offered about Graterford inmates and the riot. The press also presented the “trusties” and other nonparticipants, distinguishing them from the rebels and generally portraying them in a positive, neutral, or even sympathetic light.
IMAGES OF THE BATTLE FRONT

Front page photos of the riot's aftermath had headings such as: "After the Battle of Graterford Pen" and "Close-Ups of the Convict Battle Front." Rioters were variously described in militaristic terms, the rioters "surged and battled," they "advanced" time and again in their "line of attack;" From "the arsenal of the convicts," rioters were "armed with... bats... pipe, knives and meat cleavers." Headlines called out: "3-Hour Fight at Pen Ended by Troopers," but while the troopers may have ended the three-hour affair, it was hardly a "fight." A few guards made weak attempts to stop the riot, but for most of the three hours the only thing rioters were fighting against was the prison itself.

Reporters played up the confrontation between the rioters and police as well. They described police rushing to the scene, all organized by the superintendent of the State Police, and how upon his arrival: "Arms were distributed. The Army was ready." But even when "the troops" arrived there was no battle. Troops expected resistance from the rioters, but when police advanced they apparently let themselves be surrounded and led away. One reporter explains: "Not until 150 State troopers had cornered them with machine guns in a last dramatic stand... did the insurgents surrender." Another reports that the "rebellion [was] crushed by the menacing sub-machine guns" of the police forces.

The rioters response to the advance was interpreted invariably as "a complete collapse of the rebellion," the police having defeated the rioters. Not necessarily wrong, this interpretation

131 "3-Hour Fight at Pen Ended by Troopers," Record.
133 "3-Hour Fight at Pen Ended by Troopers," Record.
134 Mawhinney, "150 Convicts Riot at Graterford," Inquirer.
was based on assumptions about the men's intentions and purposes for rioting. Most reports include the rioters shouting their demands, even quoting them, many only quoted demands related to food: "The rioters, as they swung damaging weapons and set fires, kept shouting and cursing. 'We want more grub,' was the theme of their shouted chant." Some reporters also mentioned privileges, this one claims that from outside the walls one could hear "cries of: 'We want more food... better food, and— We want more privileges!'" A few reporters quoted and cited even more specific demands in addition to food: "We want more liberties and better living conditions. We want the judges to reduce our penalties." If not quoting these additional demands, most of the articles at least mentioned them, but the rioting inmates' demands were far from the focus of these first day articles.

One article included a detail about a few trusties and a guard who apparently hid inside a safe when they heard rioters approaching: "While the mob was breaking everything it could lay hands on...the guard...whose name was not revealed, whispered to the three trusties. 'You fellows stand in front of me,' he said, 'for if those guys find me, they'll bust my head open.'" Including this story, regardless of its validity, promoted the idea that the rioting men wanted to harm guards. While that quotation suggests that fellow inmates were safer than the guards, others describe a scene of more indiscriminate violence and chaos: "Men, friend and foe alike, were bowled over, kicked, trampled..." Other points in many accounts also projected on the rioters with depictions suggesting that they would not hesitate to attack others, such as this description

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136 "3-Hour Fight at Pen Ended by Troopers," *Record.*
137 Sercombe, "200 Desperate Prisoners Wreak $100,000 Damage," *Reading Eagle.*
139 "3-Hour Fight at Pen Ended by Troopers," *Record.*
140 Mawhinney, "150 Convicts Riot at Graterford," *Inquirer.*
of rioters tearing through the butcher shop: “The head butcher and eight assistants escaped into a back room...” Saying that they “escaped” implies that they were under threat or at least indirect targets of the rioters. This reporter continues on, depicting the scene in the butcher shop as the “supply of cleavers, saws and knives was pounced upon eagerly by the shouting mob.”111 This language conjures up an animalistic image as the reporter projected eagerness to acquire weapons onto these men.

Reporters on the first day largely framed their stories portraying violence and destruction as the rioting inmates’ purpose or goal. None reported on the event in a way that would suggest that the destruction, while intentional, could have actually been a means of seriously pursuing legitimate demands. Reporters promoted assumptions about the illegitimacy of rioters’ demands when they wrote about the superb quality of the food and the privileges Graterford inmates had. Interpreting the rioters’ surrender to police as their defeat or the collapse of their rebellion is a logical interpretation, especially to a reader who has been presented the rioters as a gang of “rebellious, desperate convicts.” Reexamining the basic facts of the riot, however, this is by no means the only interpretation, even with the limited information available in the twenty-four hours following the riot. The rioting inmates did have demands, and they did not show intentions of engaging physically with any other people. Perhaps the arrival of the troops did not crush the rebellion, perhaps it was the rioters’ cue to stop. If they simply stopped rioting and turned themselves over to the unarmed prison guards, they would make headlines, but a riot that could only be stopped by the assembly of 150 heavily armed state troopers and highway patrolmen? That would really capture the public’s interest. Bringing the police into the prison made the riot

an event and a story that could not be contained within the institution of the New Eastern State Penitentiary.

This is not to say that the officials were wrong to call on police, nor to defend the rioters’ destruction, but to examine the assumptions of the press and the administration in their responses to the riot and see how inmates who participated may have had more going on.

Government officials and prison administrators decided where inmates should be, what activities they should participate in (to an extent), and how they could be “fixed.” Inmates had institutional agency in varying degrees such as through the interviews, but in relying on officials to liaise with outside parties, inmates voices were channeled through the administration. Sentencing laws were the business of the legislature and the courts; administrators’ priorities, naturally, were administering the inmate’s sentence. These fields were strongly linked, but the wardens and the Board were busy restructuring their managerial system rather than lobbying for changes to the legal system. The easiest way to get a response was to break the rules, whatever their cause, their actions suggest that these inmates never had intentions of harming any people.

Though details of the actual riot were widely varying, the general story was consistent across accounts. Amidst sensationalized reconstructions of the “rampage” lay certain telling details observed by reporters who toured the prison grounds after the riot. One noted that while almost every cell on one cell block was damaged, “no private property of the prisoners was touched. Banjos, saxophones and other musical instruments and pictures of wives, children, mothers and sweethearts stood undamaged in the midst of all the wreckage.”

This detail diverged from descriptions, even within the same article of “the mob...breaking everything it

142 “3-Hour Fight at Pen Ended by Troopers,” Record.
could lay hands on."\textsuperscript{143} The detail about untouched private property seems too specific to
fabricate, suggesting that this riot, while certainly chaotic and destructive, was not
indiscriminate.

\textbf{NOT OVERCROWDING}

The earlier riots at Eastern State had been easier to digest and explain. Pervasive idleness
and overcrowding caused inmate unrest and inevitably, troublemaking convicts with criminal
instincts erupted into violence. Given the conditions of overcrowding and idleness, riots, though
serious, were not unexpected. John Groome, warden at Eastern State from 1923-1928, stated that
the most common causes of riots were overcrowding, idleness and mismanagement. He believed
that strict discipline and proper management prevented rioting during his time at Cherry Hill.\textsuperscript{144}

At Graterford however, reporters and officials alike could not blame overcrowding, in fact, there
were four hundred empty cells at the institution. None of these early articles projected blame, or
even doubt, on the administration; most actually highlighted the qualities and qualifications of
the administrators and continued to defend the prison as a model for rehabilitative practices.

In the riots at Cherry Hill in September and November of 1933, rioting inmates attacked
the physical prison facility and also prison guards, in fact, Warden Smith had to receive fourteen
stitches when an inmate struck his face. At Graterford in 1934, however, rioters attacked no one,
especially all damage was done to the physical institution. According to the prison physician, the
three men who were injured did not "[suffer] their hurts at the hands of other convicts," but
received minor cuts and bruises from broken glass and the general chaos.\textsuperscript{145}

\textsuperscript{143} "3-Hour Fight at Pen Ended by Troopers," \textit{Record}.
\textsuperscript{144} Groome, "The Riot Call," 6.
\textsuperscript{145} Samuel Gearhart quoted in "Reading State Officers Help Quell Prison Riot," \textit{Reading Eagle}, August 26, 1934,
As they puzzled over the unexpected outbreak, reporters evaluated Graterford’s failure as a “riot-proof” prison. Newspapers reveal multiple understandings of what made the prison riot-proof. The *New York Times* explained that Graterford was considered riot-proof “because of its physical arrangement providing for comforts not usually found in penitentiaries and because of the treatment given the convicts,” whereas the *Reading Eagle* offered “the modern method of construction designed to eliminate overcrowding, usually the basis for most prison disturbances.”

The press coverage reflects ideas shared by most prison officials and many penologists at the time—namely, that riots were reactionary events, based on inmates’ direct experiences of their institution. Inmates may have incited and led the riot, but the cause of the riot was institutional conditions such as overcrowding which heightened tensions, unsatisfactory food, poor treatment from guards, or idleness which led to “brooding” and “mental deterioration.” Some of these factors were present in the Graterford riot, but they were not a part of their immediate, physical experience of the institution.

Even as reporters were quoting the shouted demands of the inmates, they expressed perplexity as to the cause of the riot. In their first reactions, they did not initially consider that food and privileges could have been legitimate reasons for such an outbreak at this fine prison. Additionally, upon encaging most of the riot participants, the first objective of the “board of inquiry,” made up of Captain Leithiser, president of the Board Dr. Guy T. Holcombe, and Major

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Adams, was not to look for a cause but to identify the riot's ringleaders. Most reports stated that the food at Graterford was better than other prisons and that portions were bigger and agree that food alone would not have led to this event. The issues of privileges and liberty, however, were hardly addressed, if mentioned at all.

"MALCONTENTS FROM 'CHERRY HILL' BLAMED"147

On the day of the riot, prison officials presented two conclusions to the public. The first being that "the entire outbreak was engineered by a few malcontents, who used various means of inciting other convicts."148 These "malcontents" were reportedly recent transfers from Cherry Hill, which reporters emphasized was the "scene of many disastrous riots."149 This explanation took attention off of the conditions, treatment or population at Graterford, implying that issues in the Philadelphia prison were the root causes of this riot thirty miles away. The second assertion made by the administrators to the press essentially boiled down to the idea that inmates at Graterford should recognize and appreciate what the institution was doing for them. Holcombe emphasized this point: "Why they [the inmates] have radios in their rooms, a football field, a baseball diamond, a new tennis court, a school and a library."150 He told reporters: "They have everything that anybody could have except liberty and that's what they don't like."151 Holcombe described conditions and facilities for the exercise of institutional agency.

Statements like this one flattened the complex issues raised by the riot and portray Graterford as an institution more resembling a summer camp than a prison. Holcombe

147 Mawhinney, "150 Convicts Riot at Graterford," Inquirer.
149 Mawhinney, "150 Convicts Riot at Graterford," Inquirer.
150 Dr. Guy T. Holcombe, quoted in Sercombe, “200 Desperate Prisoners Wreak $100,000 Damage," Reading Eagle.
acknowledged that "liberty" was at the heart of the inmates’ concerns, but it is useful to consider independent agency rather than liberty. Of course they did not have liberty, and wished they did, but they were not voicing desires to be free but to have more control over gaining their freedom. Holcombe was also intimating that the rioters were ungrateful for what they had and undermining and discrediting their right to raise this concern by suggesting that life inside Graterford's walls was like life outside with the only punishment being that they could not leave. These conclusions were accepted and upheld in the media for a day, but the public and the press were invested in the story, so when the board of inquiry began investigating the cause of the riot, they could not hide that their findings were inconsistent with the "malcontents" explanation.

Penal laws in Pennsylvania were severely limiting to one's ability to "prove oneself" eligible for release and demonstrate capability for returning to society earlier than one's legal sentence prescribed. Pardons were rare, and one sentenced to five to ten years might be able to get out in five, but beyond that inmates had no way to shorten their sentences by good behavior or other means. Additionally, restrictive laws required that inmates secure employment and housing on the outside before they could be released on parole, even if they were deemed eligible otherwise. Through their demands and the destruction of the physical structures of the institution, this group of rioters rejected the "model of penology" that Graterford was supposed to represent. Better treatment from staff, recreation and entertainment opportunities, and sun-filled cells were secondary concerns if inmates had almost no independent agency in expediting their return to society by their actions in prison. Pennsylvania did not need better prisons so much as it needed better laws.

152 Robinson, Walnut, and Adams, "Report to Governor Pinchot of the Committee to Investigate the causes of the riots in September and November, 1933," 48.
“PRISONERS REVEAL GOAL OF ‘MORE TIME OFF’ FOR GOOD CONDUCT”153

The Graterford riot took place on Saturday morning. The Sunday press informed the public of the “Battle at Graterford” in which heroic police forces defeated the violent rebellious convicts without spilling a drop of blood. The Monday morning papers told of how the police and guards still on site at Graterford had kept the “tough guys” in check when some had tried to climb over the wire fence which encircled the rioters after they surrendered. They reported that sixty-four rioters had been transferred back to Cherry Hill and presented inconsistent accounts of unrest at Graterford related to this transfer. In this second day’s press coverage the theory that the riot was caused by a few malcontents from the Philadelphia institution was set aside as Holcombe shared the officials’ findings that the rioters who had been interviewed all explained their participation in the riot as a demonstration to raise awareness for their cause of amending the law to allow inmates to earn time off of their minimum sentences with consistent good behavior in prison.154

Graterford was a model and a massive improvement over Cherry Hill, there were no initial assumptions about the effects of overcrowding and idleness. In earlier riots the demands of the people actually participating in the riots were not taken seriously by officials in public. This day’s newspaper coverage was different from coverage of the 1923 and 1933 uprisings because even while some reporters seemed incredulous, all legitimized the rioters’ demands to the extent that they printed Holcombe’s statements admitting that the rioters had valid concerns regarding the law and the prison food. Yet even as the president of the Board of Trustees of the prison

154 August 27, 1934, Board Minutes.
acknowledged the validity of the inmates’ demands, he also shifted attention away from the heart of their concerns. After speaking with the rioters, Holcombe readily admitted that the inmates had a “legitimate complaint” about the food. He provided the explanation, however, that the food was of good quality, it was just spoiled by “inexpert cooks” before it reached the table.\textsuperscript{155} Inmates made up the kitchen staff at Graterford, so Holcombe essentially placed the issue back on the inmates.

More important than the question of food was the issue of getting “time off for good behavior.” Holcombe did not invalidate this demand either, he straightforwardly stated that “he was convinced the riot was not staged with the idea of effecting a general prison delivery, but to attract public attention to the convicts demands for time off for good behavior.”\textsuperscript{156} Reporters explained, with varying degrees of brevity, how a special session of the State Legislature was approaching and changes had been proposed to the Ludlow Act, which in 1923 eliminated indeterminate sentencing in favor of regulating mandatory minimum sentences. Holcombe told reporters that many inmates at Graterford had written to members of the Pardons Board and State Legislature regarding the Ludlow act, but “They didn’t get any action...and they figured the only way to focus public opinion upon their demands was to stage a demonstration.”\textsuperscript{157} Holcombe stated, of the second phase of the inquiry: “We are not arguing with them about the law...We have nothing to do with that. We are merely asking them their reasons.”\textsuperscript{158} While this statement from the board president was significant for offering genuine recognition of the inmates’ cause, other issues would take the forefront in the press coverage.

\textsuperscript{156} “Machine Guns Nip Attempt to Flee,” \textit{Record}.
\textsuperscript{157} Holcombe quoted in “Machine Guns Nip Attempt to Flee,” \textit{Record}.
The Ludlow Act had been in the legislature during the 1923 uprisings and the *Ledger* at the time, presented it as a promising step forward in the prison reform movement. Though it eliminated indeterminate sentencing and time off for good behavior, the bill regulated minimum sentences, to prevent judges from setting minimum sentences that were just months shy of the maximum sentence. 159 This bill provided an incentive for good behavior, and according to this article, that was much of the point. Inmates could have shorter sentences, but these were still set by the judge and then their release lay within the hands of a group of officials. Reformers believed that this bill would undoubtedly be good and more just for the incarcerated population. It eliminated some severe inequalities, but a decade later it was not serving the purpose it was created for.

"WE WANTED THE OUTSIDE WORLD TO TAKE NOTICE OF OUR PLIGHT" 160

During construction, papers had described the inmates in human terms, hardworking, content, happy, energetic. Inmate voices were rarely truly absent from news coverage of riots or uprisings, but these forms of expression were loud, rowdy and chaotic, so any descriptions of rioters' actual voices conveyed these characteristics. Generally, reporters could not see past the massive walls surrounding both institutions, so their immediate experiences of these events would be limited to what they could hear and who and what they saw entering and exiting the institutions. In 1933 Mawhinney described "listening to the ghastly wails that convicts the world over set up when 'trouble' comes to any 'Big House."' 161 In addition to wailing, inmates "shouted," "howled," "cried," "screamed," "cursed," "hollered" and "shrieked." While reporters

rarely hesitated to describe events as if they were watching the whole thing, the auditory
descriptions were often particularly vivid.

If the press directly quoted inmates’ voicing their demands in an uprising, which they did
in November 1933 at Cherry Hill and 1934 at Graterford, they were framed by such descriptions.
The *Inquirer* reported that outside the walls of Cherry Hill in 1933 “interspersed with the cursing
and plain ‘hollering,’ could be heard choruses of ‘down with the trustees,’ ‘down with the
management.’” 162 At Graterford in 1934, Mawhinney described the “howled demands of the
rioters as they surged and battled behind the... walls of the prison.” 163

Demands or desires of the Cherry Hill rioters were present in the late autumn, 1933 press,
but none were given the consideration that the Graterford rioters’ were. In September, the
*Reading Eagle* reported that a committee of ten inmates had met with the Board of Trustees to
discuss the rioting and remedies. This conference echoes the interaction between the Four
Horsemen and the Board of Inspectors a decade prior, only this time the committee’s demands
were shared and shut down in the press. The committee suggested that Cherry Hill men should
have radio and daily newspaper access in their cells as the men at Graterford had, they also asked
to rework the recreation program so that inmates would have more time outside each day. They
also “demanded” that riot participants be released from solitary confinement. At these demands,
the board quickly cut off the meeting and sent the inmates away. 164

Dr. Leopold spoke of the meeting to the press. The *Reading Eagle* quoted Leopold
exclaiming: “For sheer audacity these demands are unexplained... It boils down to the question

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162 “Shouting Convicts Rip Up Plumbing in Segregated Cells,” *Inquirer*.
http://news.google.com/newspapers?id=328bAAAAIAAJ&sjid=B4gFAAAAIBAJ&pg=3596%2C4890149
of who is going to run this prison—the convicts or the authorities. And we have no intention of letting the convicts run the place.”165 Newspapers and radios gave inmates a connection to outside society. While the institution held the power to grant the privilege of radio or paper access, the content of the papers and radio was not controlled by the administration. In November, George Mawhinney, in the Inquirer reported that: “Determination to obtain a ‘new deal’ in the penitentiary—specifically, a new board of trustees and a new warden—was said to have inspired the convicts to their demonstration.”166

While reporters explained rioters’ purposes as announced by the “board of inquiry,” these demands, again were not emphasized in any of the lengthy articles covering the riot aftermath. Instead reporters wrote about the caged inmates, “cursing and jeering,” with machine guns trained on them. Reporters alienated and dismissed the Graterford rioters in two ways. They presented the angry, violent, desperate convict, who was dismissible because he was a thankless danger to society. Rioters might also be pitied for apparently misunderstanding, the Record reported: “The quality of the food is good... but inexpert [inmate] cooks in the prison kitchen sometimes spoil it.”167 In the Inquirer, reporter Walter Hazlett explained how: “Actually the time served under the present law is shorter than under the former law, it was said, but the prisoners do not realize this.”168 Here, Hazlett’s patronizing tone invites the reader to read the whole affair as an unfortunate consequence of these inmates’ confusion and misdirected anger. The Ludlow lobby and riot were not about sentence length, the issue was having the opportunity to reduce

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165 Dr. Samuel Leopold, assistant secretary-treasurer of the Board of Trustees, quoted in, “All Guards Ordered On Duty,” Reading Eagle.
166 Mawhinney, “1,300 ‘Pen’ Rioters Quelled by 150 Police,” Inquirer.
167 “Machine Guns Nip Attempt to Flee,” Record.
one's sentence with good behavior, and have more agency in expediting the return to family and society.

The *Inquirer* article inflated the level of threat presented by inmates at Graterford compared to other regional papers. Both the *Record* and the *Eagle* noted that inmates were locked up a few hours early the day after the riot as a precaution, and that some of the locked up inmates expressed dissatisfaction with this. The *Inquirer* framed this story in a more dramatic light, however. Hazlett wrote that four hundred inmates resisted vocally when told to return to their block from the prison yard early. He reported that they started to back away from the cell block entrance when they realized what was happening and the guards had to act quickly: “The guards realized that if the convicts were given many minutes to organize they would be out of hand again and the prison property would once more be the scene of a dangerous riot.”169 Here, he suggested that these signs of resistance undoubtedly would lead to another outbreak.

As evidenced in these post-riot articles, even when inmates' opportunities for press-based independent agency declined after Graterford opened officially, they were rarely portrayed as a singular body of inmates in the news. Throughout the documentation covering the riot, inmates were depicted in varying capacities, and these were not always stable. Generally, trusties and the non-rioting population at large were distinguished from the rioters, but administrators and reporters presented multiple varying and malleable identities for inmates within these groups. This passage from the *Philadelphia Record* illustrates their clear distinction between the “mob” or the “gang,” and the rest, trusties and prisoners:

While the 200 were rushing about wreaking their violent anger against anything and everything, the remainder of the prisoners, about 1400, sat or stood around

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169 Hazlett, “400 Convicts Yell Defi at Graterford,” *Inquirer*. 

watching the demonstration. Some sat comfortably in home-made chairs viewing the affair much as though it were excellent entertainment. 170

These inmates were not participating in the rioting, they were viewing it as spectators. Not all inmates were violent and destructive, this reporter suggested that most, in fact, were not. All articles from the day after the riot described how those who were not participating were at various points either hiding in fear or casually looking on. Reporters generally described guards too as just watching the riot, with the odd few trying to intervene. These details reassured readers that the whole population was not rebelling, the rest were fine, while the prison failed to be riot proof, it could still function as a model.

As rioting inmates acted out independent agency through destruction, others inmates’ actions displayed active institutional agency. Contrasting the depiction of the frightened trusties hiding together with guards were other details of inmates and guards working together.

Mawhinney described how the “prison fire department, manned by convicts,” rushed to put out a fire in an old barn and how a few of the rioters set fire to the temporary school room and “As they fled, eight convict teachers and a guard succeeded in extinguishing the blaze.” 171

In covering the riot, articles distinguished between the stampeding mob and the trusties and other non-participants. In the days following the riot these distinctions continued, with the subtle difference that the discriminating voice now seemed to be the officials, rather than the reporters. Holcombe told reporters that most of the rioters they questioned were just “the followers—the fellows who, if they were not in jail, would be in the front row applauding a soap-box orator, but never would be the man on the soap-box.” 172 The “soap-box orators” in this

170 “3-Hour Fight at Pen Ended by Troopers,” Record.
analogy were the so-called ringleaders. Holcombe implied that most of the riot participants were harmless, that they were easily swayed and just got wrapped up in the heat of the moment.

“BOARD ORDERS IRON RULE AT TWO PRISONS”

The Tuesday papers brought the Board of Trustees summarized the findings of the inquiry board’s questioning of 127 captured rioters. The Board’s findings matched Holcombe’s statements from the day before:

1. The rioters insist that they are not antagonistic toward the present management.
2. The riot was caused by prisoners who wished by this means to make effective their demand of the enactment of a law granting time off of their minimum sentence for good behavior.
3. Some complaints were made about the food, but, in the opinion of the officials and the Board these are usual complaints heard in all types of institutions where men are fed en mass.  

That the administration released these findings to the press is significant considering officials’ quick public dismissals of rioters desires or demands in coverage of the 1923 and 1933 uprisings. The release of these conclusions, however, coincided with a 1,000 man strike beginning at Graterford and reports of “unrest” at Cherry Hill. Responding to these new updates, in the very same statement to the press, the Board authorized Warden Smith to “take whatever means are essential to... maintain law and order at Cherry Hill and Graterford.”

After lunch, about one thousand inmates at Graterford would not return to work. According to the papers only about a hundred men kept working and these were trusties with doing clerical work. As with the riot, reporters dramatized the event and the clash of forces between inmates and authorities. Hazlett, of the Inquirer, reported that “a fresh mutiny broke

173 August 27, 1934, Board Minutes, 556.
174 August 27, 1934, Board Minutes, 556.
out...when nearly 1000 defiant convicts at the State's 'model prison' at Graterford refused to work."175 Papers declared it a "sympathy strike," a demonstration protesting the punishment of the fifteen alleged riot ringleaders who were being arraigned in court that day. The story was complicated further when 1200 inmates at Cherry Hill joined the strike the next day. Multiple tensions run through these articles.

When pressed by reporters, officials "emphatically" denied rumors that the strikes at both institutions had anything to do with demands for wage increases.176 One sentence in an Inquirer article a few days later stated that the strike at Eastern State had started over demands for a wage increase, but only after reports that the men were requesting to return to work at the same pay rate as before.177 This gave the public impression that the demands had been shut down and the inmates brought back under control. The same week, however, the Board of Trustees at one of their meetings unanimously agreed that the question of inmate wages needed "immediate and thorough consideration." Holcombe wrote the Secretary of Welfare with an urgent inquiry into the matter of equalizing wages for inmates employed by the institution and inmates employed in the industrial shops which were directly part of the Department of Welfare. The Welfare shops had been set up at Cherry Hill in the mid-twenties, to employ inmates in production industries including printing, weaving hosiery, and shoemaking. This supplemented the employment provided by the institution itself in maintenance work, food preparation, and other work.178

This discrepancy evidences three important points. First, the almost undeniable evidence that the administration withheld an uprising-causing inmate demand from the press supports the

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178 Annual Reports ESP, 1924. 1925.
idea that many other inmate demands could have easily been hidden from the public. The officials explained that the inmates were on a sympathy strike, and moreover that many who were striking were under threat from dangerous ringleaders. These reasons were sufficient to explain the strike, so reporters did not press too much for more causes.

Secondly, this reflects an attitude that the incarcerated should be thankful for what they were given or that they had work at all. Finally and most importantly, this shows the administration taking action that they would not have been pressing for otherwise. Wages were an issue of institutional agency, but also strongly independent agency because money was not limited to the institution, it applied to the outside world in a more flexible way than skills. This strike was not necessarily all about wages, and the thousand inmates were all not willing participants, but it pushed the wage issue, even though officials did not acknowledge it publicly.

The object here is not to attack or demonize prison officials, reasons withhold information from the public were many. Rather, this example shows illuminates the complexity of relationships between voices of the administration, the press, and the incarcerated. This also shows how inmate pressure had more impact on official actions than recognized.

As in the days prior, reporters presented a showdown between rebels and officials. Strikers “threw down the gauntlet” to the administration, “and the challenge was accepted at once.”\(^{179}\) As these articles unfold, more layers and narratives of inmates and officials emerge.

While headlines about the strikes announced: “1000 Convicts on Strike at Graterford,” and “1,273 Eastern Pen Prisoners Go On Strike,” the contents of these articles revealed more complex situations, and again, varying portrayals of strikers and inmates. Graterford inmates manned the prison power plant, so their refusal to return to work threatened a possible loss of

\(^{179}\) Hazlett, “Convicts Strike at Graterford,” \textit{Inquirer}. 
power to the whole institution. Although officials stated that the men had gone to their cells and without resistance and that there had been no further disorder, reporters presented an immediately threatening scene. Describing the narrowly avoided possibility of a prison-wide power outage Hazlett wrote: “that situation under present conditions would lead almost inevitably to a wild mad uprising under cover of darkness.” 180 Again, such descriptions project on inmates a tendency toward chaos and revolt.

Counteracting this image of a potential mass uprising, the same reporter wrote that officials at Graterford believed that: “scores who have no sympathy with the strike have been intimidated by other prisoners and have joined in the movement against their will.” 181 He also wrote that at Cherry Hill, on one particularly unruly cell block as guards removed some inmates for punishment: “convicts who had been intimidated into joining the strike actually cheered the guards... ‘Take them out of here,’ peaceful prisoners shouted. ‘We don’t want anything to do with them.’” 182 Holcombe told of kitchen worker threats. “‘Our sympathy is with these prisoners who work in the kitchen, but who refrain because of threats... In a sense we cannot blame them.’” 183

At the opening of the Cherry Hill strike, some inmates reportedly tried to destroy machinery in the prison workshops “but were prevented by other convicts who, although willing to strike, look forward to returning to their work when the present unrest has vanished.” 184 The reporter describes how the “loyal prisoners” took up arms, seizing “wrenches and other weapons” and surrounding the machines. 185 Though officials appreciated these inmates, they

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180 Hazlett, “Convicts Strike at Graterford,” Inquirer.
asserted institutional authority. Warden Smith told reporters that by the third day of the strike at least half of inmates wanted to go back to work, "but this time I’m going to decide when I want them to work."\textsuperscript{186}

It is important to recognize that the newspapers were drawing these distinctions. They were not expressing the opinion or idea that all prisoners were naturally violent criminals bent on destruction. The press put forth the message that inmates should be thankful for the opportunities and privileges provided them. Holcombe: "it does not seem fair to the taxpayers... to be given the additional burden of employing more civilian help at the prison because of a situation the inmates have brought about themselves."\textsuperscript{187} Those who heartily (or silently) went along with the system as it was were fine, they recognized what the state and the administration was doing for them. Those who went against this would quickly lose the sympathy of the public as they lost the sympathy of the administration. It was not the public’s duty to advocate for men who would destroy state property at the expense of the taxpayers and would not accept the warning shots of a benevolent administration.

Articles on the riot destruction in both the \textit{Reading Eagle} and the \textit{Inquirer} concluded with a detail that served to highlight contrasting images of what a Graterford inmate could be. Following the fire in 1928, the Pennsylvania Society for the Prevention of Cruelty to Animals presented the inmates with a silver trophy "for their heroism in rescuing several horses from a burning barn."\textsuperscript{188} This trophy turned up "battered almost beyond recognition" in the "wreckage" of Captain Leithiser’s office after the riot, Hazlett for the \textit{Inquirer} explained the story behind the

\begin{footnotesize}
\begin{enumerate}
    \item \textsuperscript{186} "Mailed Fist Policy Ends ‘Pen’ Disorders," \textit{Reading Eagle}, August 30, 1934, Google News Archives.
    \item \textsuperscript{187} "1,273 Eastern Pen Prisoners Go On Strike," \textit{Reading Eagle}.
    \item \textsuperscript{188} Ron G. Sercombe, "State Prison is Quiet After New Uprising," \textit{Reading Eagle}, August 27, 1934, Google News Archives, \url{http://news.google.com/newspapers?id=ux1xA6AAAJ&sjid=VOEFAAAAIBAJ&pg=1784%2C5289361}.
\end{enumerate}
\end{footnotesize}
trophy then commented: “Another barn was leveled by fire Saturday, but this time it was the convicts who applied the torch.” Even if reporters did not intend for such a weighty usage, the battered trophy served as a symbol for what would have been. The celebrated inmates in 1928 were heroic, working to save prison property, but this gang of riotous and defiant inmates in 1934 was working to destroy it.

189 Hazlett, “400 Convicts Yell Defi at Graterford.” Inquirer.
IV. RESTORING ORDER, INCREASING CONTROL: 1934-1936

“Not a country club, not a health resort, but (allegedly) a prison, Graterford has as non-paying guests murderers, stick-up men, arson experts... Last week, however, the pampered prisoners managed to find fault somewhere (perhaps not enough whipped cream on the peach shortcake) and rampaged on a wild riot... Only when hard clubs finally replaced soft words was management able to subdue malcontents.”190

The officials' response to the rioting and disorder at both institutions highlights the defining element of institutional agency: institutional control. The administration believed in providing opportunities for entertainment, recreation, education, and vocational training. The public, as evidenced in the editorial piece excerpted above, may have viewed this as undeserved mollycoddling, but the administration's response to sustained disobedience proved how quickly these opportunities could be taken away. Eastern State Penitentiary’s prisoners were men who had wronged society by committing criminal offenses. Whether imprisoned at Cherry Hill or at Graterford, all inmates were taught the same lesson: in prison, everything becomes a privilege.

As quickly as the importance of the inmates’ voices arose, it was shut back down, they could not reach the public's ear. After the riot the warden unilaterally revoked the privilege of newspaper access for men at both institutions. Even if they had access however, it would not have made a difference. They could not voice opposition to the public or the press, even their ability to communicate with officials was restricted. The Board was always more receptive to inmate voices than Warden Smith and when they gave him free reign over both institutions hearing from the incarcerated was a low priority. As the strikes were winding down several inmate delegations attempted to meet with the warden about returning to work, but he “did not

190 “Philadelphia's Week,” editorials page, Philadelphia Inquirer, September 2, 1934, Microfilm.
wish to be bothered with convict delegations."\(^1\) The inmates were cut off from communication, locked in their cells all they could do was yell and make noise, officials spoke to the men, but did not listen to them; they could not write to the newspapers, even if they had been allowed to read them; visiting privileges were also denied for a couple weeks at both prisons.\(^2\)

"MAILED FIST POLICY ENDS 'PEN' DISORDERS"

When asked about giving free reign to Warden Smith, Holcombe simply responded: "We are through kidding."\(^3\) Under Warden Smith’s hand, the strikes were countered ruthlessly. Any act of resistance would likely be met with physical violence. Smith gave police "specific orders to ‘knock off’ anyone who attempted to leave a cell without permission," and made it clear that these were not just threats.\(^4\) When many of the solitary confinement inmates at Cherry Hill started throwing burning newspapers into the hall from their cells, Smith and his guards were quick to respond, subduing these rebels with clubs and punishing them with exposure to "sickening gas."\(^5\)

Reporters highlighted the contrast between pre-riot and post-riot Graterford. During the strike, one described how: "machine guns bristled from the towers and walls and a ‘shoot to kill’ order was issued."\(^6\) Reporters also wrote of violence between inmates and guards as "Riot clubs and baseball bats swung freely during the day at Graterford and a number were taken to the

\(^{1}\) Mawhinney, "Hunger and Clubs Break 'Pen' Strike," Inquirer.
\(^{2}\) Warden’s Daily Journals, August - September, 1934. Roll # 6614.
\(^{5}\) Herbert Smith. Warden's Daily Journals, August 28, 1934.
In each account in the papers, the guards initiated the physical violence in response to inmates’ words or threats. A few reporters actually witnessed a clubbing from the reception room at Graterford: “A convict was being marched down a long corridor when apparently, he committed an offense. The guards sprang upon him and a moment later he was being carried in the direction of the screened ‘bull pen.’”

In these environments of almost total control, institutional agency was extremely restricted and opportunities for the exercise of independent agency were also essentially impossible with no outside contact. The press, in early September, talked about how the state troopers would probably be taken off site within a few weeks, but a police detail was stationed at Graterford until the end of March. The wardens stationed two officers in a “machine gun nest” on top of the prison power plant every day through mid-October “to prevent any mob from destroying same.” Warden Smith even ordered that all cells at Graterford be cleaned out. Most of inmates’ personal possessions, from miniature pool tables, to magazines, to chairs, were “thrown on the prison scrap heap.”

The annual report for the fiscal year ending May 31, 1935 does not mention this mass seizure of personal belongings, but it reveals some other privileges revoked. In January of 1934, Leithiser proposed to the Board that the administration find the funds to provide free tobacco to unemployed inmates. He “felt that this distribution would greatly alleviate the spirit of unrest

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among the unemployed." His plan was approved and the annual report shows the monthly distribution of tobacco. Numbers were fairly steady from May to August, but September and October were very low, with the distribution slowly rising again starting in November.

"QUIT SEEKING GOAT"

Once the situations at both institutions had been brought under control, the conversation in the newspapers turned to a political blame game as it had in 1923 and 1933. Only a few days after publishing the rioters’ demands about the food and Ludlow bill, the discourse had moved on. Judge McDevitt of Philadelphia blamed: "the sob sisters in Harrisburg’ for causing the trouble by spending less money for guards than for ‘fads and special interests, particularly on so-called specialists from outside of Pennsylvania.' He advocated for giving Warden Smith more control over the management of the whole prison. While supportive of Smith’s capabilities, Holcombe, Robinson, and other Board members reasoned that if they had had the financial support and cooperation from state officials to implement their reform programs as planned, then the riot would have been prevented. Parties mellowed soon as they looked forward, recalling Welfare Secretary Potter’s reaction to the scapegoating about Cherry Hill in 1923. "It is a condition we have to fight, not a man...we should...stop trying to find someone to blame, but get right down and hustle and get the whole mess cleaned up."

Following the pattern that Barnes and Teeters observed, prison officials identified systemic issues that they were already aware of and addressed the riot through those. In the post-

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201 January 4, 1934, Board Minutes, 531.
203 Judge Harry S. McDevitt, quoted in “Food Withheld from Convicts,” *Reading Eagle*.
204 “Food Withheld from Convicts,” *Reading Eagle*.
205 “Quit Seeking Goat Says Dr. Potter,” *Philadelphia Public Ledger*, April 28, 1923, Microfilm.
riot press coverage of Graterford, the unique circumstances of the riot forced officials to admit the legitimacy of the inmates' concerns publicly. They listened to the rioters' reasons and demands and the press reported on them with more consistency than any prior uprisings. The administration did listen to the inmates, but their interpretations of the uprising and more importantly their discussion of how to address the issue neglected to incorporate the rioters' causes. The Welfare Department launched Giardini's classification survey largely in response to the Cherry Hill riots of 1933, and in response to the 1934 riot and strikes Eastern State officials and reformers redoubled their efforts. Holcombe expressed riot as significant "in bringing to public attention the need for segregating specific types of prisoners in specific institutions. Out of the episode, he hopes, will arise a new conception of the purpose of the institution." Though the cause of the outbreak, demands for time off for good behavior, was revealed to the public and validated by the administration, officials, led by Holcombe, shifted the focus from the Ludlow Act, which they saw as out of their control, to institutional classification, which was in their hands.

Examining these responses to the Graterford riot reveals more about inmate voices in the 1923 and 1933 events and contributes to an understanding of why and how prison riots have been so flatly interpreted in history. During the investigation of the 1933 riots at Cherry Hill, the investigative committee endeavored to hear from every inmate at Cherry Hill and at Graterford on any topic by collecting written reflections directly, so they were never in the hands of guards or administrators. They also spoke with fairly elected inmate representatives at each institution, again with conversations kept confidential and away from authority figures. This committee certainly listened to the men's concerns. Chief among these were issues of uneven treatment and

206 Hazlett, "400 Convicts Yell Defi at Graterford," Inquirer.
privileges between Cherry Hill and Graterford, or between these institutions and the Western State Penitentiary, many flaws in the parole system, the lack of indeterminate sentencing laws, charges of brutality from guards, and improper medical care. These concerns, to the inmates voicing them, seemed to reflect their desires for more fairness and independent agency in determining their return to society and how they were treated. The committee, grafted these issues onto an established agenda of penal reform that looked to remake inmates, not to work with them.

Inmates' voices were listened to in these cases, and penal reformers believed in the importance of listening to them, but inmates' needs and desires were not the same as the goals of reformers or administrators. Specific causes and demands were wrapped into the general goals of a penal reform movement. In response to the 1934 riot at Graterford, Robinson suggested that minimum sentences be shortened and that there should be "a reduction in the pardoning function." He believed that this would be best for the inmates and the prison system.

The administration took riots and strikes as evidence of a need for a better system, better psychological services and moving forward with the statewide classification system. Holcombe "declared that Saturday's riot proved the 'impracticability' of the present system for handling prisoners at the new model prison." Their intentions were largely genuine, but they too failed to recognize the importance of agency and expression in bringing about the riot. They said that was the State's fault, so the State should fix it. Administrators and reformers recognized what the men were rioting about—the Ludlow Act and indeterminate sentencing—and they were aware of

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207 Robinson, Walnut, and Adams, "Report to Governor Pinchot of the Committee to Investigate the causes of the riots in September and November, 1933," 48-49.
208 Robinson, "Recent Developments in Penal Administration," 130.
the riot as a plea for the public’s attention. In reflecting on and responding to this event, however, even the most staunch advocates of penal reform in Pennsylvania overlooked the significance of this deliberate act of rioting as a mode of specific expression.

"THE TASK OF REMAKING MEN"^{210}

After the Graterford riot, putting classification practices into action gained a new urgency for Eastern State officials. But this classification system would only increase control over inmates and further restrict independent agency for all inmates. A new system of classification was finally implemented on September 27, 1934. One cell block at Cherry Hill was turned into a "receiving gallery" for new commitments. Decisions regarding an inmate’s classification or eligibility for parole were made with input from a parole officer, an identification officer, the deputy warden, a chaplain, social workers, as well as medical and psychiatric department staff. All new inmates received were required to spend an entire month on the block and they were only allowed out of their cells for classification-related examinations and interviews. They were not even allowed outside for "yard out" or for meals. After the inmate had been studied by staff members for a month, a "classification clinic" made up of all the heads of the prison’s departments would sit with the inmate and recommend programs for him.^{211}

An overview of the new program written by E. Preston Sharp, reveals the senses of self-determination and control embodied in this inmate classification system. The administrators highlighted parole and an inmate’s individual ability to be eligible for and granted parole, but they simultaneously tightened control over the whole structure in which the inmate was to operate and defined how the inmate was supposed to be fixed. Sharp described the emphasis

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^{210} Robinson, "Recent Developments in Penal Administration," 126.

placed on “the necessity of the inmates earning parole by improving themselves, keeping a good record in the Institution, and doing a good job when they are employed.” The inmate was encouraged to take command of his own self-improvement, but the administration, staff and classification clinic determined what self-improvement was supposed to look like for the inmate. He might have some control over which vocational training or education programs he preferred to participate in, and certainly the institution offered opportunities to learn new skills and trades, but these were opportunities for institutional agency. These officials viewed inmates as men, but also as subjects, to them, this system allowed men to control their own destiny, but the limits and buffers from the outside society were so strong and defined by these officials that in terms of independent agency, little had changed.

Men were treated as subjects, denied of the abilities to move about and socialize, studied, and then set out into a less immediately restrictive environment. The administration noticed “A very wholesome result of this rule [the month-long classification period]... in the new prisoners who have been subjected to this treatment. They receive an entirely different attitude toward the prison and they appreciate the smallest privilege.”212 The administration pushed that inmates were agents of their own destiny, but this was an institutionally defined destiny, as the classification clinic and officials would set the terms for success and failure.

These plans and programs assumed that employment was the inmate’s priority. While not necessarily false in many cases, this employment focus meant that officials decided what vocations were most promising and as parole was tied to securing a job, the prison was involved in determining what the inmate should do upon release and pushing the inmate into that.

Annual reports from Graterford in 1935 and 1936 show how conscious officials were of providing structures for the betterment of the inmates, and also for keeping them occupied and trying ward off the potential evils of idleness, such as riots and general unrest. The Educational Department saw its main contribution as “the preparation of inmates for a more acceptable entrance into and successful fulfillment of social, vocational, avocational and recreational opportunities presented both within the institution and after release.”\textsuperscript{213} Athletics and recreation on the other hand were more about the inmate body as a whole and trying to keep them in good health and also prevent any uprisings. There were several team sports offered, and the prison tried to include as many men as possible in games as players or spectators, seeing this as: “valuable factors in keeping the inmate moral high, friendly rivalry exists between contending teams. The minds and bodies of the inmates are well occupied through the medium of sports.”\textsuperscript{214}

By 1936 the Educational Department had expanded its vocational training program opportunities. In the 1937 report, the department realized the benefit of allowing inmates to choose between several fields of occupational training rather than assigning them based on classification without considering the inmate’s opinion.\textsuperscript{215} These changes widened inmates’ opportunities for institutional agency. At the same time, however, officials tightened control of the evolving system: “Caution is also executed in the selection of students desiring higher education in the Industrial and Commercial Subjects to avoid the danger of ’over educating’ the inmate. Every effort is being, and has been, made to construct the educational program on a basis which will be of most practical value to the inmates.”\textsuperscript{216}

CONCLUSION

In September of 1939, Thomas Kiley applied for clemency before the Pennsylvania State Board of Pardons. Kiley had been convicted of robbery in 1930 and given a sentence of five to ten years in prison. His minimum sentence was set to expire in early February, 1935.\(^\text{217}\) On September 20, 1934 Kiley was sentenced two to four years—to be served at the end of his original maximum sentence—for rioting charges. Kiley was charged as a ringleader, but he was not one of the men corralled in the wire pen after the riot. In fact, Kiley was not identified until nine days after the Graterford demonstration, when another inmate classed him as a ringleader.\(^\text{218}\) Kiley, and eight other men who had been identified as ringleaders after the riot by guards or other inmates, denied their riot participation in court, charging that they had been framed. “Little attention” was given to their statements.\(^\text{219}\)

The Secretary of the Pardons Board requested Warden Smith’s input on the case. Not surprisingly, the strict, discipline-minded warden was not in favor of pardoning a ringleader, in his response he explained:

To favorably recommend an applicant for clemency who has participated in prison disturbances would condone actions that would seriously interfere with discipline in any penal institution. Riots, etc. cannot be passed over lightly, and inmates must be made to realize that they cannot riot one day and receive clemency the next. They should certainly be made to pay for a wilful act.\(^\text{220}\)

The administration at Eastern State Penitentiary was constantly caught in tensions between rehabilitation and punishment, justice and equality, treatment and management. As much as many members of the administration wanted the system to treat and rehabilitate the individual


\(^{218}\) State Police records, Special Duty at Graterford, September 3, 1934.


\(^{220}\) Warden Herbert Smith, letter to Frank R. Hean, Secretary of the Pennsylvania Board of Pardons, September 25, 1939, recorded in the Meeting Minutes of the Board of Trustees, October 12, 1939.
inmate, it could never be just about the inmate. Smith’s statement reflected the value he placed on upholding discipline and on teaching the inmate, and the inmate population, that actions had consequences. A week after the Graterford riot, Smith told reporters: “at the present we can not think of going on with the normal prison routine. Before school is taught there must be order: there can be no reformation without discipline.”

Discipline and order at an institutional level were not always consistent with an individual’s discipline and behavior. Smith, here, was not considering whether Kiley was fit to return to society, but how Kiley’s receiving or not receiving clemency would affect the institution’s order and how the rest of the inmates would perceive this. Smith continued on to express that people who committed an equal offense deserved an equal punishment. As one riot ringleader had already been granted clemency, and Kiley had served more time after the expiration of his original minimum sentence than this man, Smith would not oppose Kiley’s application.

In the interwar period, some elements of the discourse on penology in the United States changed markedly while some held constant. In a 1923 letter to the editor, one citizen, reflecting the turning tide in public opinion on prisons in Pennsylvania, wrote: “Our taxes are the least valuable of the wastes in our prisons. Human powers of mind and body, that could and should be lifted up and trained to serve, are degraded or destroyed.” In 1934, the prison system in Pennsylvania had evolved, and public opinion reflected a different time, but reformers and many administrators harbored the same values. Robinson explained that classification was not be the

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end, but a step of the process of rehabilitation: "The end," he argued "[was] to make the best kind of men and women out of the material that comes through the prison doors."\textsuperscript{223}

Most of general population had little or no direct contact with inmates, so naturally their perceptions of the incarcerated population were influenced by the media, by state and prison officials, and academics and criminologists studying prison reform. Public perceptions of the prison population responded to these voices and historical context. Despite having little direct contact with the public, inmates did impact, to varying degrees, how they were represented or treated by those in positions of power. Through often overlapping exercises of institutional and independent agency, members of the incarcerated population

The public favored prison employment in the early to mid-1920s. People considered Eastern State's high degree of idleness appalling, and many believed that prisoners should be employed productively and able to support their families with their earnings. Entering the 1930s, however, the general public held that productive labor opportunities were for law-abiding citizens. They recognized that idleness in prisons was bad, but When things were going well economically, the care and rehabilitation of inmates was the responsibility of the state and the public supported this. In the tight times of the Depression, the public expected the incarcerated to appreciate what they had.

To the public in 1934, the inmates at Graterford did not have the right to strike. Secretary of Welfare Alice Liveright suggested that they were demonstrating because of the political climate, but the press largely skimmed over this comment.\textsuperscript{224} Demonstrations like strikes were going on all around the prison. In fact, a shipment of new toilets to replace those destroyed in the

\textsuperscript{223} Robinson, "Recent Developments in Penal Administration," 132.
\textsuperscript{224} Hazlett, "Clubs Crush New Riot at Cherry Hill," \textit{Inquirer}. 224
riot was delayed for months due to strikes at the manufacturing plant.\textsuperscript{225} In an era of strikes and demonstrations, the lack of understanding or support for strikers shown in the press makes it clear that their lack of independent agency was not a concern of the public.

Many scholars of penal reform, note the short memory of prison reformers. They have hope and energy and believe they are ushering in a new system, but often the underlying structures remain unchanged. Blomberg and Lucken articulate the “net-widening” theory of penal reform, arguing that for the entire history of prisons in the United States, prison reformers have presented new and alternate practices and techniques for the penal system, but when they have been implemented they never truly replace existing systems, they instead supplement old practices, thus widening rather than replacing the network of control.\textsuperscript{226}

Noted sociologist and historian David Garland introduced the idea of punishment and penal institutions as “social artifacts:” “embodying and regenerating wider cultural categories as well as being means to serve particular penological ends.”\textsuperscript{227} As the procession of history has shaped the American penal system and practices, so too does the presentation of that history influence interpretations of it and how it informs thought on penal reform.

Studying the history of American prisons in the 1920s and 1930s illuminates several complex points relevant to the present day. Scholars must be careful to avoid raising penal reformers on too high a pedestal, propelling an overarching vision of rehabilitation that assumes concepts of treatment and social engineering. It is also critical, however, to recognize the complexities of classification and the various distinctions and cross-sections of the inmate

\textsuperscript{225} “Construction Report,” \textit{Annual Report Graterford, 1935}.

\textsuperscript{226} Blomberg and Lucken, \textit{American Penology}, 4-5.

population that the administration and press did recognize, identify, and portray as reality came into contact with the idealized vision of modern penology that they imagined and tried to apply. There is no formula for good citizenship. We must recognize the difference between a humanitarian system and a human system. The celebrated humanitarian ideals of the 1920s and 1930s provided, or tried to provide, increased institutional agency, but inmates were studied and assigned to things determined to suit them. Again, this is not necessarily bad, for vocational training, education for some and other opportunities were helpful to many. A "human" system is about living and being an agent independent of the system to some degree, not about being treated like a human or turned into a good human through the system. We need to look at the flaws of humanitarian prison reform efforts alongside their positives, for if anything is to be done to reform the justice system today, it cannot be seeing the incarcerated subjects for treatment, but by empowering them to exercise agency and navigate society with opportunities they have pursued, not because they have been put through a press and turned into good subjects.

Though a bill was passed to abolish the old prison in 1915, the Philadelphia branch of the Eastern State Penitentiary remained in operation until 1971. In 2003, the state opened a new institution in western Pennsylvania and closed State Correctional Institution: Pittsburgh, formerly Western State Penitentiary, after 120 years of operation. Due to overcrowding issues, however, the Department of Corrections reopened the old prison less than four years later, it remains in use today.228 The prison at Graterford is now eighty-four years old and the state is in the process of replacing it with an expensive new two-prison complex called State Correctional Institution: Phoenix. Susan McNaughton, Press Secretary of the Pennsylvania Department of

Corrections told reporters: "What we're doing is replacing old and expensive cell space with new state-of-the-art cell space." The new facility is designed to hold 4,000 inmates. The Department of Corrections has promised that the overcrowded, antiquated prison at Graterford will be shut down for good once the new complex is completed.

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APPENDIX

Figure 1.

Figure 2.
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