APPENDIX J

Educational Rehabilitation

Statutory provision for general education in the prisons is not so common as is provision for industrial employment. What does appear ranges all the way from the Kansas provision that illiterate convicts shall be instructed in reading, writing and arithmetic, to the Indiana requirement that the board of control shall institute such instruction of an educational nature as they believe will be for the best interests of the prisoners. In no state, however, is educational effort precluded, and in any state the possible effort seems to be limited only by the lack of financial provision.

California. Statutes and Amendments (1941) ch. 937, sec. 1760. The Youth Correction Authority may establish and operate educational institutions for convicts committed to it.

Idaho. I Code Ann. (1932) sec. 19-3904. When a prisoner is received into the penitentiary, he shall be given an examination in fundamental studies taught in the state’s common schools and unless he passes it, “he shall be instructed in such studies as may be deemed practicable and advisable; and each and every prisoner shall be given such courses from the university extension department as may be found practicable. . . .”

Sec. 19-3905. The state board of education is to prepare courses of study and the state board of prison commissioners to make necessary arrangements for the education of prisoners.

Sec. 32-2214. Superintendents of state reformatories are to make suitable provision for the teaching of physiology and hygiene.

Indiana. 4 Stats. Ann. (1933) sec. 13-123. The board of each penal institution “shall make the necessary provision for . . . such training in character-building and the moral rehabilitation of the inmates as may be deemed necessary to reclaim the persons who are incarcerated in such institution, so that at the expiration of their
terms . . . they may be returned to society better fortified to resist the temptations which led to their imprisonment and as useful and self-respecting citizens of the community."

Sec. 13-215. The board of control of the state prison is to "institute such instruction of an educational and technical nature, as, in their judgment, shall be to the best interests of the inmates."

Kansas. Gen. Stats. Ann. (1935) sec. 76-2413. The warden of the penitentiary "shall cause to be instructed in the principles of reading, writing and arithmetic" such convicts as cannot read.


Massachusetts. 4 Ann. Laws (1933) ch. 127, sec. 89. The warden of the prison may maintain "schools of instruction for the prisoners at such times, except on Sunday, as he, with the approval of the commissioner, may determine, and for such purpose may expend, from the appropriation made for the support of the prison, not more than $2,000 annually."

Sec. 91. The superintendent of the reformatory may expend annually a sum not exceeding $5,000 "for the mental instruction of the inmates."


Montana. 5 Rev. Codes (1935) sec. 12440.1 ff. Acknowledges a trust fund of $25,000 set up by a private donor with which to maintain a prison band, musical instruction, and the equipment therefor, and for the employment of a musical director at $2,500 a year.

Nebraska. Comp. Stats. (1929) sec. 83-951. The state superintendent of public instruction is authorized to establish and supervise a school for prisoners whereby to give them instruction in common school branches of knowledge, business forms, and useful industries.

Sec. 83-953. It is a duty of the warden to provide a night school, games, and amusements, especially those having an educational value "in order to promote the general moral and physical welfare of the
prisoners, improve the discipline and provide for their mental development."

New Hampshire. Rev. Laws (1942) ch. 464, sec. 6. It is the duty of the board of trustees "to provide such books and other instruction as shall be deemed necessary for the convicts."

New York. 10B McKinney's Consol. Laws Ann. (1938) sec. 136. "The objective of prison education . . . should be the socialization of the inmates through varied impressional and expressional activities, with emphasis on individual inmate needs. The objective of this program shall be the return of these inmates to society with a more wholesome attitude toward living, with a desire to conduct themselves as good citizens and with the skill and knowledge which will give them reasonable chance to maintain themselves and their dependents through honest labor. To this end each prisoner shall be given a program of education which, on the basis of available data, seems most likely to further the process of socialization and rehabilitation. The time daily devoted to such education shall be such as is required for meeting the above objectives." Provision is made for furnishing of teachers.

North Carolina. Code Ann. (1935) sec. 7732. Authorizes organization of classes among the prisoners so that those who desire may receive instruction in various lines of education. The board is expected to utilize where possible the services of prisoners who are sufficiently educated to act as instructors for such classes.

Ohio. Throckmorton's Code Ann. (1940) sec. 2195. The board of administration may establish, at the penitentiary, an elementary day school for uneducated prisoners, and to that end may employ a competent and efficient superintendent of school and such number of assistants and teachers as may be necessary. It may provide school rooms and books, stationery and apparatus.

Sec. 2195-2. The board may establish and maintain manual training, domestic science, and commercial departments. The nature of alcoholic drinks and other narcotics, and their effects upon the human system may be included in the branches to be taught.

Oregon. 8 Comp. Laws Ann. (1940) sec. 127–105. There shall be appointed two clergymen for the penitentiary and training
school, one Catholic and one non-Catholic. They shall give the in­mates moral and religious training, "visit the sick in the hospital and devote six hours each week to instructing the convicts and the boys in the training school in the common branches of knowledge." Their salary shall be $600 each annually.

Pennsylvania. Purdon’s Stats. Ann. (1930) tit. 61, sec. 346. The board of trustees shall elect a chaplain for a term of four years. They shall procure suitable religious instructors, in addition to the chaplain.

Sec. 378. It shall be the duty of the religious instructor to "attend to the moral and religious instruction of the convicts, in such manner as to make their confinement as far as possible the means of their reformation, so that when restored to their liberty, they may prove honest, industrious and useful members of society."

Sec. 380. Prisoners at the western penitentiary may be congre­gated for the purposes of "... learning and religious services."

Sec. 381. Prisoners at the eastern penitentiary may be congregated for the purposes of "worship, labor, learning, and recreation: Pro­vided, That no person shall be brought into an assembly for common worship unless such person so desires."

Sec. 383. Prisoner may subscribe to any "daily, weekly or monthly paper or periodical of a moral, political or religious character," if he has the means to pay for the same; and provided that such papers and periodicals first meet the approval of the board of trustees of such penitentiaries.

Rhode Island. Gen. Laws (1938) ch. 50, sec. 6. The director of the department of public welfare shall appoint religious instructors for the institutions, such instructors to be paid by appropriations from the assembly.

Sec. 11. The director of the department of public welfare shall an­nually make a report to the department of education on all schools maintained in the institutions under his care. The director of education may visit these schools and make suggestions as to their improve­ment. "All teachers employed in said schools, except the schools main­tained at the state prison, shall hold certificates of qualification as required by law of public school teachers."
Tennessee. Michie's Code Ann. (1938) sec. 12103. All prisoners under twenty-one shall be kept apart from older and hardened criminals except those of good conduct and example. They shall be under the charge of the chaplain and the warden. "The chaplain shall be permitted, after the working hours, to furnish, and shall furnish, instruction in education and moral training to such convicts, under twenty-one years old as shall desire to take advantage of the same, not more than two hours a day, and a suitable place within the prison walls shall be furnished for such school."

Sec. 12104. The chaplain shall instruct "little boys, both white and black, of sixteen years and under" morally and educationally for at least two hours a week.

(Apparently the "little boys" are incorrigibles or those sentenced for murder or rape.)

Sec. 12126. Every convict shall be furnished with a Bible.

Secs. 12128 and 12129. $250 shall be appropriated annually for maintaining a library at the state prison. The state librarian shall control said branch library.

Texas. 17 Vernon's Civil Stats. (1925) art. 6203b. The prison board shall arrange for the teaching of reading, writing, spelling and arithmetic to all inmates of the prison. Illiterates shall receive five hours' instruction per week. Literate prisoners may organize "for themselves special instruction or classified instruction of a higher class. . . ." Such instruction shall be under the direction of the prison chaplains. "There shall be read and explained for at least one hour of each school week portions of the Constitutions of the United States and the State of Texas."

Utah. 5 Code Ann. (1943) sec. 85–9–50. The board of correction may charge not over $.25 of each visitor for the visit and it shall appropriate annually out of receipts "such sum as it may determine for the purchase of books to be kept at the prison for the use of convicts."

Sec. 85–9–51. "A school may be maintained in the prison for the instruction of convicts confined therein. It shall be conducted under such regulations as may be made by the board of corrections."

Sec. 85–9–52. Prison library to be maintained.
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Vermont. Pub. Laws (1933) sec. 8805. "Persons committed to the house of correction who are under twenty years of age shall be instructed at reasonable times in the branches required to be taught in the public schools; and prisoners above that age shall receive such facilities for reading and such instruction as, in the discretion of the superintendent, is reasonable and consistent with the discipline of the institution."

Sec. 8811. State board of education shall provide suitable libraries in the penal institutions.

Sec. 8814. Prisoners "shall have access to books and newspapers under such regulations as the warden or matron with the approval of the governor may prescribe."

Sec. 8806. Chaplains shall hold religious services on Sunday, "and attend to and instruct the prisoners in their moral and religious duties and visit the sick on suitable occasions."

Virginia. Code (1942) sec. 5048i. The board of directors of the penitentiary is authorized to arrange for lectures, etc., for prisoners’ leisure, organize classes for those who desire instruction and utilize "the services of the prisoners who are sufficiently educated to act as instructors for such classes in education; such services, however, shall be voluntary on the part of the prisoner."


Sec. 10235. It is the duty of the chaplain to give religious and moral instruction, and to devote at least one hour each weekday and Sunday afternoon to such instruction; to take charge of library; to make a quarterly report to the governor stating the number of convicts instructed during the last quarter, branches of education in which instructed, text-books used, progress made by convicts, and especially cases of unusual progress.

Wisconsin. Stats. (1941) sec. 53.06. The chaplain shall hold religious services each Sunday, "instruct the prisoners in their moral and religious duties and visit the sick on suitable occasions. He shall also act as librarian." Once a week he shall devote three hours "to instructing those prisoners who need such instruction in the common
branches of English education.” He may use qualified convicts to assist him in his teachings.

District of Columbia. 42 Acts of Congress affecting the District of Columbia 473; Public Act No. 602, 76th Congress, ch. 333, 3d Session. Appropriation for the purchase of newspapers, books, and periodicals for the jail not to exceed $100; appropriation for the purchase of newspapers, books, books of reference, and periodicals for the workhouse and reformatory not to exceed $1500; also provision for purchase of books, magazines, and other educational supplies for the National Training School for Girls.

Federal. 18 U.S.C.A. secs. 817, 837. There appears to be no specific provision for education in the Federal prisons generally, but these sections provide that in the Federal industrial institution for women and the United States industrial reformatory, it is the duty of the Attorney General to provide “instruction in the common branches of an English education,” as well as in “such trade, industry, or skilled vocation” as will enable the prisoners to become self-supporting after release.