

SHGAPE GRADUATE STUDENT ESSAY PRIZE

Making Good: On Parole in Early Twentieth-Century Illinois

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Abstract

Parole laws, passed by most state legislatures at the turn of the century, provide for the release of prisoners before the expiration of their maximum sentence and for their supervision during their transition to free society. This article explores the early years of the parole system in Illinois. While the Illinois parole law indicated that parole agents would watch over ex-prisoners and aid in their rehabilitation, the state instead relied on private individuals, businesses, and voluntary organizations to supervise parolees. Agreements forged between prison officials and these supervisors illustrate the extent to which the private sector took on the functions of the state during the Progressive Era. As a result, employers and voluntary organizations developed a range of surveillance practices to maintain control over former prisoners, using informal systems of assessment and notions of success to evaluate the parolees in their charge. Though the parole system represented innovation on the part of the Illinois state government—a nod to emergent rehabilitative frameworks in penology—the reliance on voluntary organizations and businesses wove older class and gender ideals into this newer, purportedly more scientific and objective institution. This essay illuminates the everyday challenges of life on parole, tracing the experiences of ex-prisoners during the process of reentry and exposing the constant negotiations between employers, voluntary organizations, prisons, and parolees.

Keywords: parole; surveillance; public-private partnerships; prison

In May of 1898, Charles S. Bain made a promise he could not keep. He added his signature to the bottom of a parole agreement with a flourish, bound himself to the eight rules listed above his name, and left Joliet Penitentiary for a new life in Chicago. On the surface, Bain appeared more likely to succeed on parole than most men released from Joliet. He was a college-educated Scottish immigrant and worked as a clerk in Kane County at the time of his arrest for embezzlement in October 1896.¹ But in his first month in free society, Bain's inability to keep a job tested the patience of his employer, Reverend A.C. Dodds. In the parole agreement, Dodds indicated that he would "counsel and direct [Bain] in that which is good" and report any "absence from work, any tendency to low and evil associations, or any violation of the conditions of his parole" to Joliet's warden.²

As superintendent of the Illinois Industrial Association, an organization meant to “provide temporary employment for discharged prisoners who manifest a disposition to lead correct lives,” Dodds regularly mailed parole reports for the men in his charge to Warden Robert W. McClaughry.³ Many parolees that Dodds supervised required that he send only one letter per month to McClaughry, detailing how much the man earned and what his expenses were for the four-week period. Keeping McClaughry abreast of Bain’s activities required more than quick mental math and a signature. The young Scotsman’s first few days on parole were tumultuous—he could not perform tasks required of him in the association’s broom factory and proved an “utter failure” in his next job with a publisher. Four positions later, Bain informed his landlady that he was canvassing for books and making \$3.00 per day. The landlady soon contacted Reverend Dodds. Bain, she said, was not busy selling books from door to door, but instead could be found “lying around the house, or out riding the bicycle of another boarder.”⁴ This idleness nearly cost Bain his freedom.

Bain himself was not the typical Joliet inmate. His education, occupation, and the crime he committed probably inspired the warden’s reluctance to arrest and re-imprison him for violating his parole agreement. His experience on parole, however, serves quite well as a representation of the workings of the early system of indeterminate sentencing and supervised release in Illinois.⁵ The epistolary traces left by Dodds, Bain, Warden McClaughry, and others like them offer entrée into the sprawling, nebulous network of public-private partnerships that characterized the institution of parole in the last few years of the nineteenth century and the first decade of the twentieth.⁶ While the 1895 Illinois parole law stipulated that wardens would watch over ex-prisoners, the state legislature quickly recognized that wardens were unable to manage those inside prison walls in addition to paroled men and women on the outside. In 1899, lawmakers granted officials from each of the three prisons the power to choose, appoint, and compensate a parole agent and outline his duties.⁷ Geographical distances between many parole agents, who were based at each prison, and the men and women under their supervision combined with excessive caseloads led Illinois to depend on employers and voluntary organizations they considered worthy to supervise ex-prisoners. As part of an emergent class of professionalized prison administrators, Illinois wardens and early parole officers used their experience, education, and connections in the field of corrections to establish their expertise and vet employer-supervisors using an ostensibly scientific set of standards. The markers used to evaluate potential employers, however, were malleable and often based upon classist judgments.

The state’s reliance on private citizens to manage paroled men and women also meant that the employers and voluntary organizations it deemed suitable developed a range of informal supervisory and surveillance practices to maintain control over parolees. The Illinois parole contract included eight rules to structure life on parole, but these were vague and often viewed by employers, paroled men and women, and sometimes even prison officials as subject to interpretation. The absence of a state-run bureaucratic hierarchy designed to provide oversight and recourse for employer-supervisors and their paroled charges could be advantageous for some ex-prisoners, including those supervised by sympathetic family members or inclined to return to criminal activity upon release. These former prisoners manipulated the strictures placed upon them, forcing prison officials to recalibrate the expansion of carceral power and innovate in their attempts to maintain control over the men and women the government deemed dangerous to the public. Thus, it is crucial to examine the actions of the parolees themselves when tracing the parole system’s development.

The combination of an imprecise parole contract and lack of administrative structure also proved detrimental to men and women on parole. Employer-supervisors could interpret vague language within the parole contract to their advantage, and signing a parole agreement imbued those who agreed to supervise paroled prisoners with state power. This flexibility combined with the absence of significant administrative oversight enabled a range of employer-supervisors with a variety of motivations to help shape the early parole system. Some more charitable employer-supervisors, especially those connected to voluntary organizations, wished to make productive citizens out of ex-prisoners and reduce recidivism in the process. Often, these men and women projected class-based understandings of morality and propriety on to paroled prisoners, many of who were unused to operating within middling-class norms. Supervisors frequently relied on moral categories to assess the behavior of the parolees in their care.⁸ Other employers signed parole supervision contracts to obtain laborers who might work for lower-than-average wages, capitalizing on prejudice against ex-offenders. While states instituted parole laws in part because of the rise of social-scientific understandings of criminality and rehabilitative methods linked to these views, partnerships with private citizens and voluntary organizations wove conceptions of respectability into the institution of parole.

U.S. historians, particularly those interested in questions related to race, labor, sexuality, and criminal justice, have explored the extension of political surveillance through social programs operated by voluntary associations during the Progressive Era. Scholars reveal how white, often middle-class administrators and volunteers working with these organizations helped monitor working-class city communities and individuals the state marked as deviant or potentially deviant, including sex workers, vagrants, immigrants, and persons of color. These social reformers believed that the quantitative and qualitative data they gathered during observations of city neighborhoods, schools, prisons, and other social groups and institutions “could lead to solutions for any social ill.”⁹ Jennifer Fronc examines the archival traces left by Progressive Era social research endeavors in New York, turning a critical eye to the materials left by reform organizations. Groups such as the Committee of Fifteen conducted social investigations and used undercover informants from the working class to suppress the sex trade, gambling, miscegenation, and other activities they considered offensive. While these voluntary organizations operated outside of government in their nascence, Fronc argues that they soon partnered with business interests and the state to enforce gendered and racialized boundaries in city communities.¹⁰ Historian Jessica R. Pliley surveys the federal government’s concern with the maintenance of similar boundaries, tracing the work of the Bureau of Investigation as it enforced the 1910 Mann Act, passed to fight the transportation of women across state lines for “immoral purposes.” The Bureau of Investigation’s agents paid community-based white slave officers a small wage to address commercial vice in locales across the country, curtailing the mobility of sex workers and identifying vulnerable girls and young women who could be reformed. Like many men who employed and supervised paroled prisoners in Illinois, these white slave officers were “middle-class, respectable white men who had some standing in the community.”¹¹ Pliley contends that the actions of these deputized men comprised a significant expansion of federal policing power, just as the employer-supervisors and voluntary association officers in this essay extended state power over prisoners beyond the walls of the penitentiary.

As the literature on Progressive Era Chicago demonstrates, however, federal and state government interests could not always control the social reformers they imbued with

state authority. Carol Nackenoff and Kathleen S. Sullivan demonstrate how Chicago activists worked hand in hand with government interests to deploy state policing power, but also emphasize how women reformers like Julia Lathrop built their own institutions to solve municipal problems, thus pressuring the state to take on new kinds of public authority.¹² Lathrop and the activists who established and fostered the Juvenile Court in its infancy pushed outside of their state-sanctioned roles in the municipality to force Illinois to address social ills in the metropolis.

This essay builds upon aspects of what Fronc, Pliley, Nackenoff, Sullivan, and others have observed and argued about public-private partnerships and state formation in the Progressive Era. Just as the private citizens who became white slave officers allowed the federal government to police local communities, the Illinois parole system emerged long before the state developed the necessary infrastructure, thanks to constantly negotiated relationships between state institutions, private individuals, businesses, and voluntary organizations.¹³ But while Pliley's white slave officers extended the Bureau of Investigation's policing power, interactions between employer-supervisors and ex-prisoners outside of the state's purview constituted much of the nascent parole system. Private citizens conducted the surveillance work required to manage paroled men and women as they transitioned to life outside of the penitentiary. While employer-supervisors and social reformers conducting work on behalf of voluntary organizations took up the mantle of state authority, they also interpreted the terms of the early parole agreement on a case-by-case basis. These interpretations and the individual ways in which employer-supervisors used state power shaped the early parole system. As such, the operation of parole in the Progressive Era depended on the ways in which individual employer-supervisors used informal systems of assessment and notions of success to evaluate the parolees in their charge. Though the parole system represented innovation on the part of the Illinois state government—a nod to emergent rehabilitative frameworks in penology—the reliance on voluntary organizations and businesses wove older class and gender ideals into this newer, purportedly more scientific and objective institution.

By delving into the archival remnants of relationships between wardens, ex-prisoners, and employers, this essay examines the often-turbulent translation of turn-of-the-century reform impulses into practice. Ideally, parole systems were supposed to determine when to release those incarcerated under indeterminate sentences, to ensure that they were gainfully employed before releasing them, and to monitor them once they were released. But as underfunded state corrections systems pushed their authority outside prison walls, they realized the policing and supervisory functions of parole through the efforts of private individuals, businesses, and voluntary organizations. To understand the extension of the prison into free society under the auspices of humanitarian reform, historians must look to the agreements brokered between prisons and private citizens as well as the management, experiences, and actions of paroled men and women.

Guidelines for Freedom: The Terms of an Early Parole Agreement

By 1900, five years after the passage of the original Illinois parole legislation, each potential parolee signed a contract agreeing to abide by eight rules intended to guide their transition into productive society. Some of these rules prohibited activities like drinking alcohol or spending free time at “improper places of amusement and recreation” that prison officials assumed caused men and women to fall back into criminal pursuits. Others stated the obvious: “He must respect and obey the laws cheerfully,

and conduct himself in all respects as a good citizen.”¹⁴ Most, however, involved the ways the individual on parole should communicate with the penitentiary he or she most likely wished to forget. The contract first compelled released men and women to travel to their place of employment and report to their employer immediately following their discharge from the prison. On arrival, they completed a written report signed by their employer and sent directly to the warden. When employers signed parole papers for a given prisoner, they promised to give that person work for the twelve-month period of his or her parole. If the ex-prisoner wished to leave this first employer for a new position, the rules stipulated that they must notify and obtain permission from the warden. The submission of the arrival report, the subsequent monthly reports required of the parolee, and applications for permission to change employment constituted the bulk of the supervision of parolees conducted directly by penal institutions before a legislative appropriation to the Department of Public Welfare earmarked for the Board of Pardons and Paroles in 1919.¹⁵ From 1899 to 1919, Illinois employed only nine parole agents to supervise around two thousand individuals. As mentioned, the original 1895 parole law did not allocate funding for corrections institutions to appoint parole officers, but an 1899 parole law placed one agent at each of the three penitentiaries in Illinois.¹⁶ In order to conduct the actual work of supervising men and women (rather than simply processing reports), agents traveled constantly throughout the state. Due to time and monetary constraints, the agents could not meet face-to-face with most of the individuals paroled from their respective institutions. A report published by the Department of Public Welfare in 1921 asserted that many former inmates paroled between 1899 and 1917 never saw a parole agent during the time they were on parole.¹⁷

In practice, therefore, employers conducted much of the day-to-day supervision of the ex-prisoner and ensured that he or she adhered to the stipulations set out in the parole agreement. Employers of men and women on parole endorsed monthly reports, which included an accounting of the parolee’s finances—how much money they made that month, what they spent, and how much money they had on hand. In addition to these reports, employers often sent their own letters to the warden describing the activities of the paroled prisoner. This occurred most frequently when the former prisoner violated one or more of the rules listed at the top of each parole agreement. Violation of any of the directives listed on the parole agreements could result in immediate arrest and re-incarceration for the remainder of the maximum sentence.

Most parolees likely wished to avoid this, as they probably struggled to meet the conditions for release in the first place. Prior to parole, prisoners needed a written promise of steady work for twelve months and an employer willing to sign parole papers.¹⁸ Here the accounts and motivations get a little murky. While employers were often wary of hiring parolees, others jumped at the chance to sign a parole agreement. Family members who could promise employment often agreed to supervise paroled men and women. Some employers believed they could pay desperate ex-convicts wages below the going market rate. To avoid this kind of exploitation, incarcerated individuals who completed their minimum sentence and were eligible for parole often asked people they knew on the outside to help them get jobs. Many inmates obtained parole under employers they worked for prior to their arrest. Others enjoyed the support of family members or friends eager to sign their parole papers. The friendless, meanwhile, turned to organizations like the Illinois Industrial Association or the Central Howard Association to help them obtain steady work for fair wages.¹⁹ The Board of Pardons

always approved agents of these organizations when they applied to employ paroled prisoners, even if jobs were not necessarily set up for the parolee yet.

Once released, many men and women on parole changed jobs frequently. Sometimes they were fired, or they did not have the skills necessary to perform assigned tasks, but more often their employers simply ran out of things for them to do. This could involve business failure or the cyclical unemployment that accompanied seasonal labor, such as farm work. Parolees also attempted to obtain the warden's permission to change jobs when they were dissatisfied with their work in some way—usually with the wages or with their employer—but without an employer's consent, this was a time-consuming process.

“A Friendly Interest”: The Evaluation and Role of Employer-Supervisors

Employer involvement in the release process began long before the prisoner's first parole board hearing. Once Joliet Penitentiary completed the intake process for a prisoner, an investigation into his or her past began and prison officials sent the information they uncovered to the parole board. Prior to the Department of Public Welfare's institution of parole prediction schemas in 1933, the Board of Pardons evaluated prospective parolees based on a narrow and mostly qualitative data set.²⁰ The initial information sent to the board often included the inmate's criminal and prison records; statements from the judge and prosecuting attorney; details of an “examination of the convict” made upon admittance to the institution; a form completed by the inmate detailing the crime for which he or she had been incarcerated; and another form where the inmate could record his or her employment history.²¹ From these documents, the board could conduct its own investigation into a given inmate's past, and it usually began by writing to the prisoner's former employers. The Board of Pardons consisted mostly of part-time political appointees, rendering investigation into an inmate's past difficult, but a few letters could quickly glean information from cooperative former employers. Warden McClaghry endorsed this approach, writing in 1898 that “no one is so apt to know the amount of risk in taking the ex-convict as his former employer” and suggested that the board should be wary of paroling a man or woman who did not make a favorable impression at their former workplace.²²

Once prisoners became eligible for parole after serving the minimum sentence, those willing to employ them became an integral part of the release and reentry process. Financial constraints, the scattered location of parolees within Illinois, and large case-loads made it impossible for parole agents to maintain regular contact with the people they were tasked with supervising. Agents left that responsibility to employers. While some employers attempted to sign parole papers in an effort to obtain cheap and malleable labor, others took their roles in the supervisory process seriously. Indeed, the parole process ensured that employers had an economic stake in coaxing good behavior out of their charges because steady and diligent workers led to greater profit for their businesses.

Before releasing each prisoner, the warden sent special officers to evaluate his or her proposed employers. These special officers assessed the employer who applied for a prisoner eligible for parole, ideally at the job site where the paroled man or woman would work. Since responsibility for finding employment usually fell to the prisoners approved for supervised release, officers were on the lookout for any suspicious activity on the part of employers. Officers also assessed the neighborhoods in which employers resided to ensure that they did not present recently paroled men and women with illegal

temptations that might encourage them to violate the terms of their release agreement. Joliet's wardens took the recommendations of special officers quite seriously in evaluating potential employers. In an assessment of Jerry McIntyre, desirous of hiring James Winston #5061 in 1898, Special Officer Matthew Wilson McClaughry urged caution.²³ McIntyre's wife told Special Officer McClaughry that her husband worked for the Street Department of the City of Chicago and that she did not know if he had anything to do with hiring new workers for the city.²⁴ McClaughry also disapproved of McIntyre's neighborhood, writing in his report that "the neighborhood of #83 Aberdeen Street" did not seem "very respectable owing to the numerous houses having signs 'furnished rooms to rent' and appearance of their patrons."²⁵ The presence of rooms for let in McIntyre's neighborhood indicated that many lower-income, single residents of the city lived there—the kind of potentially disreputable neighbors potentially involved in vice sectors as patrons or providers. Warden Robert W. McClaughry rejected McIntyre's application.

Joliet's warden and some of its special officers assessed potential employers based on their conformity to middling-class standards of respectability. This was perhaps due in part to the influence of the officials' own, largely middle-class, backgrounds.²⁶ As members of a new professional class of prison administrators and officers, the McClaughry men would have considered their assessments of employers and city environments borne of a combination of commonsense judgment, experience, and understanding of the latest innovations in criminology and penology. Born to a prosperous farming family in 1839, Robert W. McClaughry grew up in Illinois and attended Monmouth College as a young adult.²⁷ He was appointed warden of the Illinois State Penitentiary at Joliet in July of 1874 and pushed the institution into the national spotlight with his dedication to the "reformation of criminals and their restoration to society."²⁸ As warden, Robert McClaughry was the subject of glowing profiles in newspapers and magazines throughout the country and even received accolades from former President Rutherford B. Hayes upon his first departure from Joliet in 1888.²⁹ Among other innovations made during his first stint as warden, McClaughry instituted the Bertillon system of criminal identification and agitated for the separation of first-time offenders from more seasoned prisoners. After leaving Joliet, the former warden worked for a short time as superintendent of a reformatory in Pennsylvania before returning to Illinois in 1891 to serve as Chicago's chief of police.³⁰ When McClaughry senior accepted the title of warden of Joliet once again in 1897, he was firmly established among an emergent class of professional prison wardens—men who "presented themselves as professionals by emphasizing their expertise and their connections to national networks" of fellow prison officials.³¹ Three of McClaughry's sons followed their father into the field of corrections, and two accepted jobs at Joliet soon after their father returned to head the institution for a second time.³² Special Officer Matthew W. McClaughry shared his father's interest in criminal identification technology and became well-versed in the Bertillon system of identification before studying fingerprinting with an expert from Scotland Yard.³³ Warden McClaughry and his sons positioned themselves as advocates for parole throughout the country, provided that nascent parole systems functioned on a "scientific basis—the unimpassioned investigation and conclusion that there is a reasonable probability that the prisoner" would make good upon release given his or her background and employment prospects.³⁴

This emergent class of professional prison administrators had more to consider in their investigations than how each prospective employer measured up to their

internalized standards of respectability—they also needed to ensure that employers would treat paroled men and women fairly. Wardens and the Board of Pardons quickly discovered that overworked and underpaid parolees were most likely to return to the penitentiary because they had violated the terms of their parole agreement or committed a new crime out of desperation. While many prospective parolees like James Winston wrote to trusted former employers to find positions for the duration of their parole period, other prisoners did not have such contacts. These lonely inmates either waited for employment from a charitable organization or were sent to an employer who wrote to Joliet to request laborers. For instance, a man from Grinnell wrote Warden McClaughry to inquire if he could employ a woman from Joliet for the duration of her parole to assist in his housework. McClaughry's reply included an application for the parole of Myrtle Farman, who could be released "as soon as suitable employment is secured."³⁵ The Grinnell man would need to pass muster with a special officer before the warden could parole Farman.

Some employment opportunities were easy for the warden to sign off on, such as offers from established charitable organizations. Dr. John Harvey Kellogg, one of the founding fathers of the breakfast cereal industry and the head of the nationally famous Battle Creek Sanitarium in Michigan, contacted Warden McClaughry to inform him that the sanitarium regularly employed parolees on two of the farms that provided foodstuffs for patients. A member of the Seventh Day Adventist Church, Kellogg practiced what he called "medical missionary" work at Chicago city missions, Battle Creek, and elsewhere. Lending a hand to those he considered "down-and-outers" became a part of his religious expression. In an 1896 speech at Northwestern University, Kellogg spoke of poverty and homelessness in medicalized terms and asserted paternalistically that "the destitute man is always a sick man" in need of "brotherly kindness, encouragement, and instruction."³⁶ Kellogg professed to offer these farm jobs out of a desire to facilitate the rehabilitation of released prisoners, as he indicated that these positions often acted as a "stepping stone for something better."³⁷

Voluntary associations and philanthropists like Kellogg could not provide all friendless prisoners with a reliable employer willing to sign their parole agreement. Many inmates desperate for release and estranged from family members or former employers struggled to find warden-approved positions. One disgruntled prisoner convicted of the theft of \$2.40 wrote the Board of Pardons in 1898 to request assistance, indicating that he held "the opinion that something more" could be done to assist him.³⁸ Thomas Donovan served two years in Joliet and when granted parole in October of 1897, the warden suggested that he should contact the Reverend A.C. Dodds of the Illinois Industrial Association to secure viable employment. Dodds did not reply to Donovan's letters, nothing materialized, and Donovan had no friends to help him find a position. He stayed in Joliet, stewing, as men locked away "for more than I was" were released after serving only a year in prison.³⁹ When "99 men out of a hundred" refused to "sign a parole to give a man work that comes out of prison," wardens and inmates had to get creative.⁴⁰ And employers found themselves with chances to game the system.

Risky Business: Employers and the Exploitation of Ex-Prisoners

For some employers, the parole system meant an opportunity to hire laborers who could be compelled to work for lower-than-average wages. This opportunity, though, was not without its drawbacks. The yearlong commitment required in the parole

contract must have seemed daunting for farmers and other business owners who tended to hire seasonal workers. In urban areas, some industries were infamous for irregular employment cycles—Chicago’s meat and pork plants often laid off thousands of workers for two or three months per year.⁴¹ Employers balked at offering jobs to paroled men and women they had never met, perhaps worrying that they might be more likely to dip into the company coffers or leave without giving notice. Besides, the parole agreement contractually tasked employers with keeping closer watch on parolees than would have been necessary for an ordinary employee. Those offering jobs to prospective parolees did not have to house them or record their movements, but they did sign papers indicating that they would: watch over the paroled individual, “counsel and direct” them in “that which is good,” and report any violation of the parole law, in addition to any absences from work or associations with “low and evil” persons.⁴²

While some might have been leery of these conditions, other employers signed many similar agreements, hiring several parolees over a short period of time. A few of these supervisors, like Dr. Kellogg at Battle Creek Sanitarium, perhaps intended for men and women to move on quickly and transfer the responsibility of parole to another employer who might pay them higher wages. This was also the case with heads of voluntary organizations like Reverend Dodds and the Central Howard Association’s F. Emory Lyon. Others, though, applied for supervision of parolees they intended to underpay and overwork. Bound by parole agreements and marked by criminal records, these men and women experienced greater difficulty leaving exploitative positions for better job opportunities. Despite behavioral restrictions and ties to employers, however, there were many ways in which parolees were able to work within the system even when facing abuse from police or employers.

In the spring and summer of 1905, a flurry of letters addressed to Warden Everett J. Murphy arrived at Joliet, including one by ex-convict Frank Morris. Morris wrote to express discontent with the actions of the employer who signed his parole papers. Morris believed that W.H. Wright had “faled [sic] to keep his word,” and that he had not abided by the terms of the contract he signed with the penitentiary. Warden Murphy likely distrusted Morris—who had already been returned from parole two times—but Morris claimed that he felt “determined to do what is right and work for an honest living.”⁴³

It is unlikely that Morris and Wright knew one another before Morris was paroled. Morris failed to abide by parole agreements twice before 1905, which likely meant that he could not find a position with his previous employers. Shortly after Morris’s inquiry, Wright wrote to assure the prisoner of his new opportunity to make good, promising to assist Morris in any way he could to set him back on the path to productive citizenship.⁴⁴ But when he signed Morris’s parole agreement, he agreed to pay the ex-prisoner only \$7.50 per month plus board. He recognized that this was a small amount of money unlikely to satisfy the warden, so he scrawled a note underneath the number: “If he is a good man ... I will pay him more. I will do the fair thing with him.”⁴⁵

Though Wright eventually agreed to pay Morris \$15.00 per month, conflict over fair wages continued, prompting Morris to complain of unfair treatment.⁴⁶ Soon after Morris’s arrival in Danville, he wrote to Warden Murphy to inform him that Wright was withholding his wages. Morris also alleged that his employer hired him out to other businessmen in the community and illegally pocketed the payment Morris received for this outside work. When Warden Murphy responded to Morris’s initial complaint, he requested proof. In reply, Morris suggested that the Joliet warden write to the Southern Illinois Penitentiary at Chester, “where Mr. Wright got 4 men out

and ask the warden what became of them.”⁴⁷ These four men perhaps complained to Chester’s warden about the work Wright required of them and the low wages they received for their labor. Or maybe they simply disappeared, skipping town to reinvent themselves, look for higher paying jobs, or seek out better living conditions. Subsequently, Chester’s warden barred Wright from signing parole contracts to employ any additional ex-offenders. Morris theorized that Wright then turned to Joliet for a new source of inexpensive laborers, lamenting to Warden Murphy in a lengthy epistle that he was a “poor unfortunate” who fell “victim” to Wright’s schemes.⁴⁸ According to Morris, Wright defined parole as an extended form of punishment for men who had been in prison, and claimed that parolees worked for lower-than-average wages for one year as a way to pay their debts to society.⁴⁹ While there is no way to assess the validity of these claims, Wright himself admitted to paroling at least two men from Chester at very low wages. He also informed Warden Murphy that he would withhold Morris’s wages until the parolee could prove himself trustworthy.⁵⁰ As Morris would have been sent back to Joliet if he left Wright without permission from Murphy, the ex-prisoner was stuck until he could convince the warden that employment under Wright was intolerable. Fortunately for Morris, Murphy sensed a flight risk and transferred him after three months.⁵¹

While Morris convinced the warden to allow him to leave Wright’s employ and continue his parole, others could not stand the indignity of low wages, restrictions on their movements, and the supervision of bosses who took advantage of them. Often, the experience of working for demanding or abusive bosses became too onerous to bear. Between 1895 and 1910, 289 men and women out of 783 captured parole violators were sent back to Joliet for leaving their employers without permission.⁵² Many parolees who left their employers probably did have cause to complain, as employers often paid laborers on parole less for their work than the national average wage for their industries. For example, a man paroled in 1899 received \$6.85 per week, or roughly \$356 per year, for his work in a shop that made drill bits and other tools. The average yearly wage for a laborer working in manufacturing was \$412.⁵³ While the average worker in the gas and electricity industry made \$620 in 1900, the American Electrical Company hired paroled man John Rice for \$1.20 per day. If he worked six days per week every week in 1900, he would only have made \$374 that year. A significant wage gap also existed between paroled farmworkers and non-paroled farmworkers. Paroled farmworker Edwin Holt made \$8 per month in 1898. In a letter to the warden, Holt wrote that he worked for a “nice man” who treated him well, but he expressed concern that his parole prevented him from earning more and complained that other farm laborers nearby brought in around \$22 per month.⁵⁴ Parolees employed in white-collar positions, such as clerking, also earned wages lower than the national average. In 1900, the L.C. Krueger Company, Building Raisers and Movers hired parolee Louis Marshall as a clerk for \$12 per week.⁵⁵ Assuming Marshall worked every week that year, he could make only \$624, a sum \$387 less than the national average of \$1,011 per year for those in clerking positions.⁵⁶

“To Maintain and Protect Her”⁵⁷: Women and Parole Supervision

While men on parole struggled to navigate new workplaces, paroled women usually returned from the institution to their own households or the homes of relatives. The supervisory structures created by parole imbued the (usually) male head of the house with still more authority than that already granted him by traditional patriarchal

norms. As such, the experiences of women on parole in the early years of the system's evolution were generally quite different than those of men. This held true even for single women who entered into employment, rather than familial, relationships. Women made up a small fraction of the prison population in the early twentieth century: in 1910, Joliet's population hovered around 1,500 from month to month, but the institution only held around sixty women at any given time that year.⁵⁸ While women were a tiny population within the state prison system, their experiences on parole provide insight into the intentions and policing strategies of progressive officials who supported indeterminate sentencing.⁵⁹

Men who signed parole agreements promising to supervise and employ female relatives acquired significant state-sanctioned power over them. Wardens expected the grandfathers, fathers, brothers, uncles, cousins, and husbands who signed parole agreements to report not only on the paroled woman's diligence, ability, and attendance at work, but also on her adherence to certain emotional, sexual, and moral standards. Female prisoners paroled to unrelated employers found that state agents imposed a regime of discipline designed to monitor their morality and sexuality. While men were most likely to receive admonition from special officers and wardens for switching employment without notice, the consumption of alcohol, or general idleness, warnings issued to women usually concerned behavior toward male relatives, "inappropriate" emotional reactions, and sexual practices.

Available records for women paroled from Joliet indicate that most entered domestic service positions where they earned wages, or labored for room and board. Women compensated with room and board rather than monetary wages were usually those released to the care of family members, like Mrs. Florence Margette, paroled to perform general housework for her brother. The brother agreed to provide Margette with "such money necessary for her proper care," but did not indicate that she would receive regular compensation for her labor.⁶⁰ By contrast, Nettie Austin, the twenty-four-year-old wife of fellow Joliet inmate William A. Brown, did housework for contractor Arthur R. Clark at \$1.00 per week. Clark indicated on his application that he would not have full charge of Austin—rather, Brown's father would provide "aid and assistance."⁶¹

Clark, though, felt empowered by the institution of parole to police Nettie Austin's private life. He hired Austin and her husband in 1897. Brown received \$5.00 per week for "general work about buildings." After nearly a year, just as Clark expected the board to send discharge papers for the couple, Brown violated his parole agreement by skipping town. The paroled man soon returned, however, and blamed his mistake on his young wife's behavior. As Clark described it, Brown's depression and despair over the state of his marriage caused him to run away. The young man apparently understood that this was a violation of his parole agreement but did "not care what became of him." He told Clark that he could not see any way to reform while still tied to Nettie Austin and thought that his only option was to leave and start a new life without her. He begged Clark to intervene with the warden so that he would not be punished for leaving town without permission. Clark obliged, writing to Warden Murphy that Austin caused Brown's "down-fall" by first causing him to commit the crime that sent him to Joliet in the first place and later making it impossible for him to abide by the terms of his parole agreement.⁶² Brown's father and a number of his friends also wrote to blame his delinquency on the "degraded" Austin.⁶³ Though other community members praised Austin, parole agents returned her to the penitentiary after receiving Clark's message and a barely legible letter from someone accusing Austin of sending "one man to the Grave" and another to prison before engaging in sex work in a house of ill fame.⁶⁴

As Austin's case shows, assumptions officers made concerning a woman's "respectability, reputation, and moral character" often determined her experience on parole.⁶⁵ Penitentiary officials did not bother to investigate any of these claims before bringing Austin back to prison—mere rumors of her conduct combined with her employer's assessment were all the evidence they needed. Exhibiting a gendered double standard, the board permitted Brown to resume his parole after the period of delinquency his friends blamed on Austin.

Prison officials often intervened at the behest of employer-supervisors when they had cause to question a paroled woman's behavior or rumored behavior. Actions as seemingly benign as taking a job outside the home, visiting a saloon, or entering a dwelling house alone with an unmarried man could be cause for intrusion into a woman's private life. These interventions betrayed employer-supervisors' understandings of morality, deeply rooted in their ethnicity, gender, and class background. Working-class understandings of respectable womanhood often ran contrary to values held by middle-class reformers. A working-class woman's view of the world was mediated by her relationships with female neighbors, forged by exchanging local news and gossip about neighborhood scandals, native ne'er-do-wells, and wayward children. Groups of women recalled wrongdoing and insults, shared their stories of cheats and blackguards, and ultimately engaged in a continual process of defining right and wrong. Social theorists demonstrate that these interactions are far from innocuous. Rather, they authorize one set of truths that make "certain acts and behaviors understandable to some, while incredible and even inconceivable to others."⁶⁶ For working-class women and new immigrants, this comprised a negotiated set of beliefs that influenced their way of being in the world—a way of being that greatly worried middle-class employers and reformers like Wardens McClaughry and Murphy and ultimately shaped the parole agreement. At the turn of the twentieth century, working-class women frequented dance halls, saloons, and cabarets in urban areas; experimented with their sexuality; and enjoyed inexpensive forms of public entertainment like vaudeville and moving picture shows. These women were active participants in public life "as workers and consumers" in a way native-born, white, middle-class prison officials and members of prisoner aid organizations did not comprehend.⁶⁷ Reformers saw working-class leisure activities, courtship behaviors, and women's employment both inside and outside of the home as a sign of loosening morals. They interpreted these actions as a transgression of the white American woman's role as a respectable, morally irreproachable housewife.

Husbands, fathers, and brothers could exploit these biased assessments, as they recognized parole agents and wardens as persons with power over their paroled wives' movements, employment choices, and sexuality. Men who signed parole agreements or who married female ex-offenders sometimes used these officials to help curb the behavior of the women in their charge. Moreover, wardens and parole agents often attempted to intervene in paroled women's relationships, as they could use their authority to return women to the penitentiary as leverage. Rosella Soots, convicted of bigamy in 1896, faced opposition from officials who attempted to prevent her from marrying Gus Jordan after she was paroled in 1897.⁶⁸ In his reply to an inquiry sent by Rosella's employer, Warden McClaughry wrote that he was unsure if she was able to wed anyone "without committing again the same crime for which she was sent here," and further, that he did not think that Jordan could support himself.⁶⁹ McClaughry ordered Soots to complete one year on parole, obtain her final discharge, and then marry. Soots presumably considered one year an unreasonable amount of time, and married Gus Jordan in Decatur without permission.

An exasperated McClaughry considered bringing Soots back to Joliet, but instead transferred Soots's parole to her new husband. By the summer of 1898, however, Soots had left her husband and a disgruntled Jordan wrote to McClaughry to request his help. During the months after the marriage, Jordan dutifully signed Soots's parole reports, but he now asked McClaughry to arrest Soots because she was "conducting herself improperly" and "running around town with other fellers."⁷⁰ Jordan trusted that his report of Soots's activities, which included socializing with men without her husband's supervision, indicated Soots's willful rejection of the conditions of her parole. Perhaps Jordan read the portion of Soots's parole contract specifying that she must "avoid evil associations and improper places of amusement."⁷¹ Rather than replying to Jordan, the warden consulted the Decatur chief of police. Chief Mason wrote back in August that he did not know of "a more worthless man" than Rosella's husband.⁷² Mason recommended, however, that the warden hold off acting on Jordan's plea for Soots's arrest, as he "took very little stock in anything he [Jordan] might say about the woman."⁷³ Rosella Soots was illiterate, unable even to sign her name to her parole reports, and neither the warden nor the police chief bothered to contact her when considering whether or not to return her to Joliet. Perhaps Jordan's complaint about his wife was routine—and the question of his reputation mattered more than asking Rosella Soots to tell her story.

Gaming the System: A Delinquent Avoids Arrest

Unlike the illiterate Soots, who could not weigh in as the warden determined her fate, well-educated men on parole often used the leeway inherent in the system of parole supervision to their advantage, much to the chagrin of their employers. Just as frequently, though, employers or agents of voluntary organizations contacted the warden with information regarding a man's delinquency. Aside from the commission of a crime while on parole, parole agents most often arrested and transported paroled men back to the penitentiary for poor job performance or idleness reported by their employers. As superintendent of the Illinois Industrial Association, Reverend A.C. Dodds often found himself writing to Warden McClaughry to notify him of an ex-convict's delinquency. Charles S. Bain (alias Charles Wilson) caused Reverend Dodds more trouble than many of the parole cases he shouldered as superintendent. As mentioned in the introduction, Bain appeared more likely to make good on parole than most men in Joliet. But following his parole in May of 1898, Bain lost seven different jobs in his first three weeks in free society before pretending to canvas for books as a cover for his daily routine of naps and bicycle rides. An exasperated Dodds wrote to Warden McClaughry recounting Bain's deception, calling the Scottish immigrant "a brilliant and successful liar."⁷⁴ Bain remained on the streets despite Dodds's assessment.

The warden perhaps concluded that it was not worth his time and expense to arrest and re-imprison Bain, given that his initial crime was a nonviolent one. As a college-educated ex-convict among a majority of common-school educated parolees, though, Bain possessed several advantages in the highly subjective parole system. It is crucial to remember here exactly how much weight the warden's opinion carried in parole cases: while the Board of Pardons approved or rejected initial applications for parole, the warden issued orders for the arrest of delinquent parolees.⁷⁵ These warrants were not often issued in cases where the ex-prisoner missed work once or changed jobs without notifying the warden. For cases in which the parolee failed to send in monthly reports, was arrested on new charges, left town, consumed alcohol, or continually

skipped out on work, arrest and re-incarceration was a common form of recourse. Bain's offenses seemed chiefly to consist of changing jobs without notice and of periods of unemployment.

After a few months on parole, Bain found himself pleading for the continuation of his freedom despite his inability to hold a job and his penchant for languorous afternoons on his fellow boarder's bicycle. Bain recognized that sending in his report to indicate that he changed jobs more than a few times might cause his return to the penitentiary. But unlike most parolees, Bain was a skilled wordsmith. Along with his parole report for the period during which he exhibited delinquent behavior, he sent an elegantly written letter, claiming that he recently obtained permanent employment and begging the warden to give him a second chance. Bain acknowledged that he "behaved very foolishly" and associated with disreputable men while on parole. He expressed remorse for his actions, assuring the warden that he was "not wholly evil believe me," but that he was "easily led."⁷⁶ Perhaps he believed that these claims allowed him to shift part of the blame for his idleness. Or maybe this admission about his natural inclination to follow his peers—and in doing so, fall into bad behavior—simply enabled Bain to argue that he would make good provided he kept away from "evil companions and bad places."⁷⁷ With rhetorical flourish that may have served as a nudge toward leniency for the warden, Bain acknowledged that he might "feel that perhaps these promises are mere words" but asked him to accept the assurance that "I will try to behave from this on."⁷⁸ This flowery prose and Bain's elegant penmanship surely stood out to Warden McClaughry, a man used to receiving letters peppered with crossed out words and misspellings from men who only made it past a few grades in common school before dropping out for factory work or farming. Bain's ethnicity, social class, inherited wealth, and education would have helped to disarm McClaughry senior, who would not have seen Bain as part of the class of "habitual" or "professional" criminals to be locked away forever.

Conclusion

The regime of surveillance developed under the early years of the parole system was characterized by both cooperation and conflict between those ostensibly responsible for the rehabilitation and reentry of ex-prisoners, on the one hand, and the individuals from voluntary organizations, businesses, and local law enforcement who actually watched over parolees, on the other. Illinois passed parole legislation without funding and without bureaucratic infrastructure necessary for the operation of a state-run system. Whenever possible, prison officials vetted the employers and representatives of voluntary associations responsible for the day-to-day requirements of the parole system based on their own understandings of respectability. Officials scrutinized the neighborhoods potential supervisors lived in, the businesses they engaged in, and the people they associated with to gauge their ability to supervise and guide paroled men and women. Those employers who kept close watch on their paroled workers engaged in a similar evaluative process to determine their charge's progress. Thus, employers' moral judgment, classist assumptions, and xenophobia colored their supervisory relationships with paroled prisoners and influenced their use and abuse of the prison's policing power.

As a consequence, the parole system relied from the beginning on long-established, more informal systems of assessment and notions of "success." These informal evaluation systems would later receive a gloss of objectivity as parole fell out of favor in

the 1920s. Following a very public scandal involving the alleged sale of pardons and paroles, Illinois Governor Lennington Small appointed social scientists to analyze the qualitative and quantitative data collected by prison officials, parole agents, and employers over the previous decades. These academics believed that details culled from past intake records, letters, reports from parole agents, and other documents could reveal the makeup of a successful potential parolee and show why another might fail. As this essay has shown, however, standards for “making good” changed on a case-by-case basis. In their attempt to develop a prognostic scoring process to determine release dates for each inmate, researchers perpetuated the classism, sexism, xenophobia and, increasingly—with the advent of the Great Migration—racism inherent in the methods of evaluation that employer-supervisors, wardens, and parole agents used to assess parolees. Despite actuarial prediction’s claim to objectivity, the statistical model developed and employed by the Illinois parole system legitimized the board’s assumptions that white, wealthy, and well-connected prisoners were more likely to succeed on parole. Familiar, value-driven class and gender-based ideals thus formed the marrow of purportedly objective and scientific innovations in criminal justice.

Throughout the system’s evolution, ex-prisoners themselves challenged these evaluative frameworks and struggled for control over their experiences on parole. During the Progressive Era, this meant navigating and sometimes exploiting state relationships with private employers and reformers. These on-the-ground negotiations within state systems, rather than top-down administrative or legislative machinations, shaped the early development of parole in the United States. The experiences of Charles Bain, Frank Morris, Nettie Austin, and the excavated histories of other paroled men and women examined in this paper expose the constantly changing relationships that comprised the early expansion of carceral surveillance beyond prison walls.

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Notes

1 “Convict Examination Sheet” for Charles S. Bain, alias C.W. Wilson, Oct. 20, 1896, Penitentiary Mittimus Files, 1857–1916, Illinois State Archives (hereinafter ISA).

2 “To the Proposed Employer” in the case of inmate no. 5162, Penitentiary Mittimus Files, 1857–1916, ISA.

3 Reverend A.C. Dodds to Warden Robert W. McClaghry, June 1898, Penitentiary Mittimus Files, 1857–1916, ISA. This mission statement appears on the Illinois Industrial Association’s letterhead.

4 Ibid.

5 Parole laws, passed by most state legislatures around the turn of the century and by the federal government in 1910, provide for the supervised release of prisoners, usually before the completion of their maximum sentences on the promise of good behavior. An 1895 law provided for parole under an indeterminate sentence for certain criminal offenses in Illinois. An indeterminate sentence, as opposed to a definite sentence, consists of a range of years (such as “one to ten”) during which a person can be confined within a corrections facility. The exact length of the sentence depends upon the person’s conduct while imprisoned, combined with additional variables. These include criminal history and perceived risk to society, among

others. At any point following the completion of the minimum sentence, the body responsible for releasing inmates on parole considers these combined factors to decide whether the prisoner is fit to return to society.

6 Before the passage of the first parole law in 1895, Illinois prisons often partnered with private interests to generate profits or fund prison operating costs through inmate labor. In 1857, state officials signed a contract transferring control over its inmate population to the firm Casey and Hendricks, which used prisoner-workers to build Joliet Penitentiary. Illinois instituted a congregate contract labor system by 1871, in which the state retained physical control of prisoners (remaining responsible for feeding them, clothing them, guarding them, etc.), and hired out their labor to private businesses. These corporate interests then put their incarcerated labor force to work in shops housed on the grounds of the institution. Following the Panic of 1873, however, the political influence of manufacturers diminished and labor unions organized against the contract labor system. As prison reformers, socialists, and other radical interests joined the fight, manufacturers slowly backed away from contracting with state prisons. By 1886, the Prairie State amended its constitution to ban contract labor. For a detailed explanation of this trajectory, see Henry Kammerling, *Capital and Convict: Race, Region, and Punishment in Post-Civil War America* (Charlottesville: University of Virginia Press, 2017). Timothy Gilfoyle explores the day-to-day workings of a contract labor system at New York's Sing Sing prison in *A Pickpocket's Tale: The Underworld of Nineteenth-Century New York* (New York: W.W. Norton & Co., 2006), see especially pages 44-49. The southern practice of convict leasing is another example of post-bellum/Progressive Era partnerships between state prisons and private business interests. With the end of Radical Reconstruction, white southerners searched for a way to regain control over formerly enslaved black laborers. Almost immediately after African Americans set out to realize their post-emancipation dreams of landownership, voting rights, equality in the legal system, and economic independence, white politicians and business owners built up a host of legal and extralegal practices designed to keep former slaves dependent on whites. As the 13th Amendment prohibited slavery except as punishment for a crime, many southern businesses began to rely on convict leasing, which allowed private interests to pay the state a small fee to use prison labor. See Talitha L. LeFlouria, *Chained in Silence: Black Women and Convict Labor in the New South* (Chapel Hill: University of North Carolina Press, 2015); Alex Lichtenstein, *Twice the Work of Free Labor: The Political Economy of Convict Labor in the New South* (London: Verso, 1996); Douglas Blackmon, *Slavery by Another Name: The Re-enslavement of Black People in American from the Civil War to World War II* (New York: Doubleday, 2008); and Mary Ellen Curtin, *Black Prisoners and Their World: Alabama, 1865-1900* (Charlottesville: University Press of Virginia, 2000).

7 These institutions were the Southern Illinois Penitentiary at Chester (now known as Menard Correctional Center); Joliet Penitentiary (closed in 2002); and a facility for young offenders, the Pontiac State Reformatory (now a maximum-security unit for adult males).

8 Both Jessica Pliley and Jennifer Fronc detail similar criteria in their recent work. In *Policing Sexuality: The Mann Act and the Making of the FBI*, Pliley notes that the FBI often selected white slave officers based on their conformity to contemporary understandings of respectable masculinity. Moreover, the text of the Mann Act was vague and open to interpretation, leaving white slave officers to define its parameters for themselves based on their personal moral ideals. Like FBI officials' evaluations of white slave officers, Warden McClaughry and other prison officials in Illinois often assessed employer suitability based on investigations of their living conditions, demeanor, and general reputation in their local community. Fronc explores a similar extension of political surveillance through social programs administered by voluntary associations in New York, arguing that the ways in which middle-class observers perceived working-class life created legal problems for working class people in the Progressive Era. See Jessica R. Pliley, *Policing Sexuality: The Mann Act and the Making of the FBI* (Cambridge, MA: Harvard University Press, 2014); and Jennifer Fronc, *New York Undercover: Private Surveillance in the Progressive Era* (Chicago: University of Chicago Press, 2009).

9 Pliley, *Policing Sexuality*, 3.

10 Fronc, *New York Undercover*.

11 Pliley, *Policing Sexuality*, 89.

12 Carol Nackenoff and Kathleen S. Sullivan, "The House that Julia (and Friends) Built: Networking Chicago's Juvenile Court," in *Statebuilding from the Margins: Between Reconstruction and the New Deal* (Philadelphia: University of Pennsylvania Press, 2014), 171-202.

13 Historians of criminal justice have acknowledged the importance of voluntary organizations and private citizens to the early operation of state parole systems. In *Discretionary Justice*, Carolyn Strange highlights

the Prison Association of New York's critical role in the formation of the state's discretionary justice policies and references its efforts to aid discharged prisoners as they transitioned back to free society. PANY's Discharged Prisoners Committee boasted of finding jobs and housing for more than a thousand parolees from Elmira Reformatory released between 1877 and 1895. Like this essay, Strange's work reveals the gap between reform ideals and criminal justice practice as well as the incorporation of older class and gender-based ideologies into the modern justice system. Her interests, however, lie more with policy evolution and the process of paroling a prisoner from New York institutions in the Progressive Era rather than with the relationships between ex-prisoners, the state, businesses, and voluntary organizations necessary to realize the supervisory function of the early parole system. Scholars also demonstrate the opportunities for business and familial interests inherent in early state pardoning and parole practices. Historian Ethan Blue exposes the exploitation of pardoned offenders in Texas, arguing that white plantation owners often agreed to employ formerly incarcerated men and women in order to maintain their control over African American laborers. Cheryl D. Hicks explores a particularly disturbing function of the parole system in New York: the practice of sending African American women prisoners to live and work with relatives in the South. Using records from two New York State reformatories, Hicks also shows how working-class black families relied on the parole system to control the behavior and mannerisms of female ex-prisoners. See Carolyn Strange, *Discretionary Justice: Pardon and Parole in New York from the Revolution to the Depression* (New York: New York University Press, 2016), especially chap. 6; Ethan Blue, *Doing Time in the Depression: Everyday Life in Texas and California Prisons* (New York: New York University Press, 2012); and Cheryl D. Hicks, *Talk With You Like a Woman: African American Women, Justice, and Reform in New York, 1890–1935* (Chapel Hill: University of North Carolina Press, 2010), especially chaps. 8 and 9.

14 Board of Pardons, State of Illinois, "Parole Agreement: Rules Governing Prisoners on Parole," Penitentiary Mittimus Files, 1857–1916, ISA.

15 In 1919, the Illinois state legislature made an appropriation of \$194,000 for the year to pay the salaries and travel costs for eleven additional agents. These twenty parole agents also would no longer be assigned to one of three prisons to supervise released men from that specific institution. They would instead supervise all parolees within ten districts in the state of Illinois, which cut down on travel time and expenses. Most of these districts encompassed eight to ten counties, though the geographic expanse of District No. 1 (which included Chicago) was much smaller.

16 Will Colvin, "After Care" in *Illinois Parole Law: Accomplishments, Statistical Data, Papers and Addresses on Its Provisions and Its Administration* (Springfield: Department of Public Welfare, 1921), 31. Joliet soon had five parole agents; Chester and Pontiac each had two agents.

17 Ibid.

18 Men and women were often paroled to urban areas, partly because farm work was seasonal. In a Sept. 1900 letter to Warden E.J. Murphy, the father of a parolee complained about the difficulty of finding a year round position for his son near the family: "... they will only have about two months of work for a man this fall and then they will not need help untill [sic] next Spring, and as farming is the only kind of employment there is here for a laboring man, I think it will be impossible for me to find employment for him." Ben Olson to Warden E.J. Murphy, Sept. 10, 1900, Penitentiary Mittimus Files, 1857–1916, ISA.

19 Reverend A.C. Dodds founded the Illinois Industrial Association to help ex-convicts secure employment years before the state legislature passed indeterminate sentencing and parole laws. Officers of the Association included a bank executive, an ex-judge, and several religious leaders, all of whom routinely signed parole documents assuring prison officials that they would secure employment for paroled prisoners. The association also operated a broom factory where each released man began his parole period. Once other employment could be found, the paroled man would leave a place vacant for "a brother prisoner who wishe[d] a chance at release and reform." See "Aid Ticket-o'-Leave Men: Chicago's Unpretentious Charity for Paroled Prisoners," *Chicago Daily Tribune*, Dec. 6, 1896, 25. F. Emory Lyon established the Central Howard Association (CHA) in 1900. The CHA's mission was to "awaken public sentiment in behalf of worthy ex-prisoners ... to secure employment for them; to facilitate the organization of local and state prisoners' aid societies," and to keep tabs on the conditions in state corrections facilities. Though the organization's supervision of parolees is not mentioned in its initial mission statement, the CHA quickly stepped into this role. As early as 1901, prison officials and chaplains from Illinois and neighboring states looked to CHA founder F. Emory Lyon to monitor and find jobs for paroled offenders. See "Original Constitution, Amendments, and Minutes of the Central Howard Association, Organized January 5th, 1900," box 2, ledger, John Howard Association Records, 1898–1976, The Chicago History Museum

Research Center (hereinafter CHMRC); A.H. Jessup to F. Emory Lyon, Dec. 28, 1901, box 17, folder 1, John Howard Association Records, CHMRC; and “Gives Aid to Ex-Convicts: Central Howard Association Furnishes Employment to 250 in Year Just Ended,” *Chicago Daily Tribune*, Jan. 9, 1904, 13.

20 The Illinois state legislature abolished the original Board of Pardons and created the Department of Public Welfare under the auspices of a new Civil Administrative Code in July of 1917. Under this code, the legislature charged the Department of Welfare with overseeing the Board of Pardons and Paroles. Parole prediction schemas in Illinois used an actuarial method developed by University of Chicago sociologist Ernest W. Burgess to estimate the risk of releasing a given individual.

21 This intake sheet allowed prison authorities to record many self-reported details about an inmate, including the following: (1) date the inmate was received; (2) sentence length; (3) crime committed; (4) the county in which the crime was committed; (5) “color,” nationality, and nativity; (6) age, height, and weight; (7) whether the inmate used profanity, smoked, chewed tobacco, or drank; (8) condition of the inmate’s heart; (9) occupation and employment status when arrested; (10) religious affiliation; (11) marital status and number of children; (12) education level; (13) whether the inmate’s associates were “good” or “bad”; (14) names and addresses of correspondents; and (15) nativity of father and mother. These categories are duplicated on each intake sheet from the 1890s to the early 1910s: “Examination of Convict for Harry McNanna No. 5594,” July 2, 1897, Penitentiary Mittimus Files, 1857–1916, ISA.

22 R.W. McClaughry, “The Parole System, As Applied to the State Prisons” in *Proceedings of the Annual Congress of the National Prison Association of the United States, 1898* (Pittsburg: Shaw Brothers, 1899), 93–94.

23 M.W. McClaughry was the son of Joliet’s warden, Robert W. McClaughry. He served as a special officer at Joliet after working for the Chicago Police Department. Joliet employed McClaughry Jr. before the allocation of funding for parole agents, but he served much the same function and bore the same title as later parole officers. See “Discharged from the Police Force,” *Chicago Daily Tribune*, Aug. 15, 1897, 1.

24 M.W. McClaughry, “Report of Special Officer,” Oct. 11, 1898, Penitentiary Mittimus Files, 1857–1916, ISA.

25 *Ibid.*

26 While only the McClaughry family background is detailed here, the two wardens appointed after R.W. McClaughry left Joliet in 1899 touted similar middle-class upbringings, educational backgrounds, and professional experience. Born in Nashville, Illinois, in 1852 to county Judge William Murphy, Everett Jerome Murphy was warden of Joliet from 1899 to 1913 and 1917–1922. After graduating from high school, Murphy enjoyed a moderately successful political career. He served in the Illinois House of Representatives and was elected as a Republican to the 54th U.S. Congress (1895–1897). After Murphy’s unsuccessful run for reelection, Governor Tanner appointed him to the state Board of Pardons where he served before accepting his position at Joliet in 1899. Murphy’s successor, Edmund M. Allen, possessed “a comfortable fortune inherited from his father,” which probably helped to finance his mayoral run in Joliet in 1912. He won, but a month before his term expired, Governor Dunne appointed him warden of the penitentiary. Allen resigned after his wife was murdered in her bed at the warden’s residence at Joliet. See “Everett J. Murphy, Warden of the Illinois State Penitentiary for Twenty Years, Dies,” *Journal of the Illinois State Historical Society* 15 (1922–1923): 558–59; and “Allen Father of Many Reforms in State Prison,” *Chicago Daily Tribune*, June 21, 1915, 2.

27 Later in life, McClaughry traced his family history back to the American Revolution, providing the required documentation to join the Sons of the American Revolution in 1893.

28 “Practical Prison Reform,” *The Daily Inter-Ocean*, Mar. 18, 1891, 4.

29 President Hayes commended McClaughry senior for his tireless labor at Joliet “which [had] done so much to elevate the science and progress of prison reform.” Franz Amberg and Omar H. Wright, Commissioners, “Prison Reformers,” *Daily Inter-Ocean*, Nov. 24, 1888.

30 “Chicago’s Chief of Police,” *The Milwaukee Journal*, May 18, 1891, 2. As warden, McClaughry introduced the good-time allowance at Joliet, a popular prison management technique soon adopted by penitentiaries across the United States.

31 Ashley T. Rubin, “Professionalizing Prison: Primitive Professionalization and the Administrative Defense of Eastern State Penitentiary, 1829–1879,” *Law and Social Inquiry* 43:1 (Winter 2018): 184. Rubin’s article challenges the theory that professionalization “requires large-scale, field-wide organization” and argues that Eastern State Penitentiary administrators professionalized prior to the 1890s despite the fact that they did not exhibit traditional markers of professionalization. These markers include college

education, specialized training, and national affiliations—all identifying characteristics that apply to Warden McClaughry, Matthew W. McClaughry, and Warden Everett J. Murphy.

32 Charles Chase McClaughry worked for his father in 1887 as master mechanic and chief engineer at Joliet before moving to the Chicago House of Correction as deputy superintendent. In 1899 he became warden of the Wisconsin State Penitentiary in Madison. When McClaughry senior returned to Joliet in 1897, he employed his sons Arthur Cooper and Matthew Wilson, as private secretary to the warden and special officer to the penitentiary, respectively. See “Charles Chase McClaughry,” *The Annals of Iowa* 16 (1927): 76; and *Report of the Commissioners of the Illinois State Penitentiary at Joliet for the Two Years Ending September 30, 1898* (Springfield, IL: State Printers, 1899).

33 T.H. McMichael, “Robert Wilson McClaughry, 1839–1920,” *Journal of the Illinois State Historical Society* 13:4 (Jan. 1921): 605.

34 R.W. McClaughry, “The Parole System,” 92.

35 R.W. McClaughry to Unknown, Dec. 3, 1898, Penitentiary Mittimus Files, 1857–1916, ISA.

36 Dr. John H. Kellogg and his brother Will Keith Kellogg are best known today as the inventors of breakfast cereal. Dr. Kellogg as quoted in “The Workingmen’s Home,” *Medical Missionary* VI (Oct. 1896): 299, excerpted in Richard W. Schwarz, “Dr. John Harvey Kellogg as a Social Gospel Practitioner,” *Journal of the Illinois State Historical Society* 57:1 (Spring 1964): 6.

37 J.H. Kellogg to R.W. McClaughry, July 21, 1898, Penitentiary Mittimus Files, 1857–1916, ISA.

38 Thomas Donovan to Illinois State Board of Pardons, Aug. 14, 1898, Penitentiary Mittimus Files, 1857–1916, ISA.

39 *Ibid.*

40 Thomas Donohue to Warden E.J. Murphy, Jan. 29, 1900, in Penitentiary Mittimus Files, 1857–1916, ISA.

41 Robert A. Slayton, *Back of the Yards: The Making of a Local Democracy* (Chicago: The University of Chicago Press, 1986), 89–90.

42 “To the Proposed Employer” (in this case, W.H. Wright), Apr. 19, 1905, in Penitentiary Mittimus Files, 1857–1916, ISA.

43 Frank Morris to Warden E.J. Murphy, May 21, 1905, in Penitentiary Mittimus Files, 1857–1916, ISA. Morris’s real name was Frank Mara.

44 W.H. Wright to Frank Morris, Feb. 23, 1905, in Penitentiary Mittimus Files, 1857–1916, ISA.

45 “To the Proposed Employer,” Apr. 19, 1905, Penitentiary Mittimus Files, 1857–1916, ISA.

46 Warden E.J. Murphy to Frank Morris, May 22, 1905, in Penitentiary Mittimus Files, 1857–1916, ISA.

47 Frank Morris to Warden E.J. Murphy, July 11, 1905, in Penitentiary Mittimus Files, 1857–1916, ISA.

48 Frank Morris to Warden E.J. Murphy, July 11, 1905, in Penitentiary Mittimus Files, 1857–1916, ISA.

49 *Ibid.*

50 W.H. Wright to Warden E.J. Murphy, May 21, 1905, in Penitentiary Mittimus Files, 1857–1916, ISA. Wright wrote that he paid Morris \$10 for over one month of work but that he did not want to give him all of his wages until he ascertained if Morris would stay and work for him. Wright further stated that in the past when he employed a parolee from Chester, the man stole money from him and fled to Canada after only a month of work. The practice of withholding wages from parolees was relatively common, and can also be seen in the case of Myrtle Farman, paroled in 1899, and Henry Greenwood, paroled in April of 1898.

51 Under Rodgers, Morris made 30 cents per hour—or about \$15.00 per week.

52 Harrison et al., *Report of the Commissioners of the Illinois State Penitentiary at Joliet For the Two Years Ending Sept. 30, 1910*, 67.

53 Robert A. Margo, “Table Ba4320-4334- Annual Earnings in Selected Industries and Occupations: 1890–1926” in *Historical Statistics of the United States*, Millennial Edition Online, eds. Susan B. Carter et al. (Cambridge: Cambridge University Press, 2006), 2-271.

54 Edwin R. Holt to Warden McClaughry, Feb. 16, 1898, Penitentiary Mittimus Files, 1857–1916, ISA.

55 “To the Proposed Employer” (L.C. Krueger), June 7, 1900, Penitentiary Mittimus Files, 1857–1916, ISA.

56 Margo, “Annual Earnings in Selected Industries,” 2–271.

57 Gus Jordan to The Board of Commissioners of the Illinois State Penitentiary, Dec. 22, 1897, Penitentiary Mittimus Files, 1857–1916, ISA.

58 Using these numbers, women made up about 0.4 percent of Joliet’s population in the year 1910. This percentage is close to the number of women accounted for in the 1914 report. See John H. Harrison, Joseph

De Silva, and Van L. Hampton, *Report of the Commissioners of the Illinois State Penitentiary at Joliet For the Two Years Ending Sept. 30, 1910* (Springfield: Illinois State Journal Co., State Printers, 1912), 64; James J. McGrath, Ralph R. Tilton, C.W. Faltz, *Report of the Commissioners of the Illinois State Penitentiary at Joliet for the Two Years Ending September 30, 1914* (Springfield, IL: Schnepf and Barnes, State Printers, 1915), 63.

59 For information on women's parole from Illinois institutions in the 1920s and 1930s, see L. Mara Dodge, "*Whores and Thieves of the Worst Kind*": *A Study of Women, Crime, and Prisons, 1835–2000* (DeKalb: Northern Illinois University Press, 2002), chap. 11. Dodge's study is especially rich due to the inclusion of research from Joliet and Dwight's institutional jackets. These are now restricted under the Mental Health and Developmental Disabilities Confidentiality Act (740 ICLS 110), a law designed to protect records and communications created during the provision of mental health services.

60 Edward S. Fuller to the Board of Commissioners of the Illinois State Penitentiary, June 28, 1897, in Penitentiary Mittimus Files, 1857–1916, ISA.

61 A.R. Clark to the Board of Commissioners of the Illinois State Penitentiary, June 14, 1897, in Penitentiary Mittimus Files, 1857–1916, ISA.

62 Arthur R. Clark to Warden E.J. Murphy, Jan. 20, 1903, in Penitentiary Mittimus Files, 1857–1916, ISA.

63 *Ibid.*

64 See Gemmill and Foell to W.S. Green, Parole Agent, Illinois State Penitentiary, Nov. 23, 1900, in Penitentiary Mittimus Files, 1857–1916, ISA. Illegible to "The Agent of Paroled Prisoners of the State of Illinois," Aug. 25, 1901, in Penitentiary Mittimus Files, 1857–1916, ISA.

65 Dodge, "*Whores and Thieves of the Worst Kind*," 121.

66 Ardis Cameron, "Landscapes of Subterfuge: Working-Class Neighborhoods and Immigrant Women" in *Gender, Class, Race, and Reform in the Progressive Era*, eds. Noralee Frankel and Nancy S. Dye (Lexington: The University Press of Kentucky, 2015), 62, Project MUSE. Cameron cites Robert Darnton's *The Great Cat Massacre: And Other Episodes in French Cultural History* (New York: Basic Books, 1984); and Michel Foucault's *The Order of Things: An Archaeology of the Human Sciences* (New York: Random House, 1970). To these, I would add Clifford Geertz, *The Interpretation of Cultures* (New York: Basic Books, 1973).

67 Fronc, *Undercover*, 64. For instance, Fronc shows that behaviors anti-vice organizations considered scandalous, such as women visiting saloons without male chaperones, were widely accepted in many immigrant and working-class neighborhoods.

68 Moving from one marriage to another without divorce was fairly common in nineteenth-century America even as the licensing and regulation of nuptials increased. The federal government became especially concerned with bigamy after the Civil War. Former soldiers and their widows applied for pensions and Pension Bureau examiners found themselves faced with sorting through tangled family histories. Some bigamists went to great lengths to hide their marriage histories, creating new identities for themselves as they moved from spouse to spouse. Some simply moved to faraway cities and towns, posed as single widows or widowers, and married new partners. Others relied on simplicity, telling new love interests that they were free from former spouses without elaboration. Many men and women believed that lengthy separations from spouses automatically counted as divorce. See Beverly Schwartzberg, "Lots of Them Did That': Desertion, Bigamy, and Marital Fluidity in Late Nineteenth-Century America," *Journal of Social History* 37:3 (Spring 2004): 573–600.

69 Warden R.W. McClaughy to Oliver T. Achison, Dec. 21, 1897, in Penitentiary Mittimus Files, 1857–1916, ISA. Control over marriages through legal regulation and other more informal processes (like McClaughy's implicit warning to Soots) gave Progressive reformers an opportunity to shape the boundaries of membership and participation in civic society. These limits included the "norms and practices of American citizenship as well as what was understood to be the genetic capacity for citizenship." Marriage laws developed during the period signify an effort to protect stable marital unions and promote eugenically desirable families—that is, control biological reproduction to produce a citizenry capable of fulfilling the civic duties demanded by the nation. The basis for these "fit" families was the union of monogamous white American or assimilated immigrant couples. See Priscilla Yamin, "The Search for Marital Order: Civic Membership and the Politics of Marriage in the Progressive Era," *Polity* 41:1 (Jan. 2009): 87.

70 Warden R.W. McClaughy to the Chief of Police at Decatur, Aug. 26, 1898, in Penitentiary Mittimus Files, 1857–1916, ISA.

71 Board of Pardons, "Parole Agreement," Penitentiary Mittimus Files, 1857–1916, ISA.

72 W.W. Mason, Chief of Police, to Warden R.W. McClaughry, Aug. 27, 1898, in Penitentiary Mittimus Files, 1857–1916, ISA.

73 Ibid.

74 Ibid.

75 Many examples of orders for the arrest of paroled prisoners can be found in the Illinois State Archives. One such example is the order for the arrest of John Enerlick: Illinois State Penitentiary, Joliet, “Order for Arrest of Paroled Prisoner,” Apr. 27, 1904, in Penitentiary Mittimus Files, 1857–1916, ISA.

76 Charles S. Bain to Warden [Murphy or McClaughry], Aug. 8, 1898, in Penitentiary Mittimus Files, 1857–1916, ISA.

77 Ibid.

78 Ibid.

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