1890

REPORT

OF THE

Hawaii (King)

Board of Prison Inspectors.

TO THE

MINISTER OF THE INTERIOR.

HONOLULU, H. I.;
ROBERT GRIEVE, STEAM BOOK AND JOB PRINTER,
25 and 27 Merchant Street, (up stairs.)
1890.

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REPORT

OF

THE BOARD OF PRISON INSPECTORS.

HONOLULU, May 7th, 1890

HIS EXCELLENCY L. A. THURSTON,

Minister of Interior:

SIR:—We have the honor to make the following report in accordance with the provisions of Chapter VII, of the Legislative Sessions Laws of 1888. This report it was impossible to present to Your Excellency in January, two members of the Board having only recently returned from abroad, one of whom, Mr. Emmeluth, had specially visited a number of prisons in the Uniied States in order to observe their system and regulations.

Since making the report of April 4th, 1889, we have held eleven Board meetings.

We have from time to time visited Oahu Prison, and are happy to report that its order is good and cleanliness excellent; the health of the prisoners is satisfactory, and is more particularly reported upon by the Prison Phycisian.

The number of prisoners in Oahu prison on April 22nd, the date of our last visit, was 121, of whom 18 were commited for trial, 28 convicted of misdemeanors, 75 criminals. They consisted of 65 Hawaiian men, 2 Hawaiian women, 35 Chinese men, 5 Japanese men, and 14 other foreign men.

We have the honor to annex a list of regulations for the management of Oahu Prison, which have been decided upon after due consultation with Your Excellency and the Marshal of the Kingdom, and which we believe will enable the prison officials to main-

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tain a greater and beneficial discipline whilst they will tend to the reformation of those undergoing sentence.

The following recommendations with respect to Oahu Prison are respectfully submitted

1. That the women's ward be practically isolated from that of the men.

2. That no openings to the prison be used other than the front or mauka gate; and that the windows in the kitchen and a door in rear of the water-closets be permanently closed.

3. That a line of basins or washing utensils be provdied so as to save the time occupied by prisoners washing before meals.

4. That a fire-proof safe or fire-proof vault be provided for the protection of the prison books.

5. That, wherever possible, locking-bars be provided, by which a line of cell doors can be locked or unlocked at once. The present system of single locking would present great danger in case of fire.

6. That a small fund, of say $500 for two years, be provided for the use of the Board in assisting discharged prisoners.

We have the honor to remain, Sir,

Your Excellency's obedient servants,

M. M. SCOTT,
JOHN EMMELUTH,
THOS. R. WALKER.
Inspectors of Prisons.

REGULATIONS FOR THE MANAGEMENT OF OAHU PRISON.

DUTIES OF JAILOR.

1. The Jailor shall reside at the Prison and supervise and direct the entire management of the institution, subject to the statutes and in accordance with the rules and regulations adopted by the Board of Prison Inspectors, carrying out all orders and instractions which they may issue from time to time.

2. He will preserve discipline and promote the objects of these regulations by according to all subordinate officers their extent of authority when in the presence of prisoners or on duty, and see that they in turn give to every prisoner the exact measure of

justice to which his behavior and industry entitle him, and that their reports as to the conduct of the prisoners are correct and reliable.

3. He is to alternate with his deputy in performing the following routine work of their stations. The one is to turn out and lock up the prisoners, and the other to visit eack gang at the different places where work is in hand, at irregular intervals during the day, to see that officers in charge are vigilant and attentive to their duties and that they keep the prisoners under them diligently employed during their hours of labor.

4. He shall devote his whole time and attention to the prison and its purposes, excepting at such time as under these regulations shall be allowed him. In his absence upon duty or upon prescribed leave his deputy must be present and remain in charge of the prison until his return.

5. He shall see that the prisoners are treated with humanity, that no unnecessary severity is practiced by subordinate officers, and that the sick and complaining have proper medical attendance and are supplied with such food as the physician may order or prescribe.

6. In case of any reported infraction of the rules and regulations by a prisoner, the Jailor shall, with the assistance of the deputy, investigate such infraction in order to arrive at the truth respecting the case. In awarding punishment they shall take into consideration the race, age, previous conduct, habits and disposition of the offender, so far as they may be able to ascertain the same; and in the administration of punishment special care shall be taken to deprive it of all appearance of personal vindictiveness, even though great provocation exist, at the same time making it sufficiently severe, without cruelty, to secure the end desired.

The only disciplinary punishments of prisoners allowed under these regulations are as follows:

PUNISHMENTS.

(*A.*) At the discretion of the Jailor and Deputy Jailor without reference to the Board of Prison Inspectors.

(1.) Solitary confinement on short rations of bread and water.

(2.) Shackling with ball and chain.

(*B.*) Only with the approval of the Board of Prison Inspectors:

(1.) Forfeiture of commutations, wholly or partially:

(2.) Removing to a lower grade.

7. He shall permit suitable and proper religious services on Sunday within the prison enclosure, so regulating the time of attendance, that all prisoners may equally enjoy the privileges of such services.

8. He shall provide himself with a uniform official dress, which he shall wear at all times when on duty, and at all such times he shall be either on foot or horseback.

The uniform shall be a tunic and trowsers of blue serge, belt and helmet; tunic to be single breasted with 6 gilt buttons in front and two rows of distinction lace round sleeves, and helmet to have two gilt buttons for straps; all gilt buttons to be of official pattern. White linen duck may be substituted for the serge, at the jailor's option.

9. The rules governing prisoners, and a list of offences, and of privileges attainable by good conduct, shall be made known to prisoners by being printed or written and placed conspicuously in such positions that prisoners may have access to them.

DUTIES OF DEPUTY JAILOR.

1. The Deputy Jailor is the assistant and agent of the jailor in the general government and management of the prison, and shall act subject to the supervision and direction of the jailor, as prescribed in Section 1 of duties of jailor, performing the duties of jailor when the latter is absent, and he shall not leave the prison when in full charge until the jailor returns.

2. He shall assist the jailor in enforcing obedience to the Prison rules and regulations, and in maintaining generally the police and discipline of the prison with exactness, and for this purpose shall alternate with the jailor in the performance of his duty as set forth in Section 4 of duties of jailor.

3. It shall be his duty to receive or discharge all prisoners; to observe their condition when committed, and, if in doubt, request an inspection by the Prison Physician, to see that they are bathed

and clothed in prison garb, and that every male prisoner (except in the case of persons committing a first offence, the punishment of which is not more than 30 days imprisonment,) on entering, has his beard shaven and hair clipped close. He shall then read and explain the rules and regulations governing prisoners, the nature and operations of commutations, and the grading of prisoners, and impress each prisoner, if possible, with a sense of the advantage to be derived from diligence and prompt obedience to orders.

4. He shall have charge of the prison armory, assigning guards and lunas their arms and accountrements, and see that everything belonging to the armory is in good condition and serviceable at a moments notice.

5. He shall inspect the arms and equipments of the guards and lunas at least once a week, and report any officer whose arms or equipments are not in good order. He shall frequently inspect all the arms and equipments not in daily use, and see that they are kept in thorough repair.

6. He shall provide himself with a uniform official dress which he shall wear at all times when on duty, and at such times he shall be either on foot or horseback.

The uniform shall be a tunic and trowsers of blue serge, belt and helmet; tunic to be single breasted, with 6 gilt buttons in front and one row of distinction lace round sleeves, and helmet to have two gilt buttons for straps; all gilt buttons to be of official pattern. White linen duck may be substituted for the serge, at the jailor's option.

DUTIES OF GUARDS.

1. Guards shall wear such uniform dress as may be prescribed by the jailor, with the approval of the Board, which must be constantly worn while on duty.

2. Each guard shall be supplied with a revolver of approved pattern, necessary ammunition and a policeman's club, which must be kept about the person, all of which arms must be ready for immediate use while on duty.

3. It shall be the duty of the captain of the guard to see that all the guards assemble in the main hall fifteen minutes before the cells are unlocked, to call the roll, to inspect their equipment, and

to report to the Jailor or his Deputy any absences or deficiencies, and then to order the guards to their proper stations.

4. The guard stationed at the main entrance shall strictly observe the regulations posted thereat, and shall not open the gates except by order of the Jailor or his Deputy.

5. Guards must be ready at all times when on duty to stand parade and inspection of arms.

6. The Turnkey shall have quarters within the prison enclosure. It shall be his duty to lock and unlock the cells as directed by the Jailor or Deputy Jailor, and daily to examine the condition of the locks and report to the Jailor or Deputy Jailor any repairs or alterations necessary. He shall have leave of absence at such stated hours as the Jailor, with the consent of the Board, may direct. During such absence one of the guards shall be on duty in his place.

DUTIES OF PHYSICIAN.

1. It shall be the duty of the Physician to visit the prison, at least once each day, between the hours of seven and ten o'clock A. M., and personally examine every sick and complaining prisoner. He shall attend at any other time at the request of the Jailor or his Deputy.

2. He shall keep a book, to be called the Hospital Records, in which shall be entered the names of all prisoners reported as sick or complaining who require medical treatmeat, the nature of the disease and the prescription therefor, the date of entering and discharge, and such other matters as shall make it a true record of events and ocurrences within the hospital. He shall also record the names of prisoners reported ill, and by him found to be able to labor.

3. He shall visit daily every prisoner, confined in "solitary," and examine into the physical condition of each when discharged from such punishment, keeping a record of his observations.

4. He shall see that the diet, clothing, bedding, cleanliness, care and general treatment of prisoners in the hospital are such as are desirable for the health of the prisoners, and report to the Jailor any defects he may find in these respects.

5. He shall furnish the Jailor, from time to time, with a memorandum of such medicines, provisions and supplies as may be necessary in his department. If his prescriptions or directions should not be complied with, he shall report the same to the Jailor, that proper measures may be taken to prevent future non-compliance.

6. He shall examine, at least once a week, and oftener if he thinks proper, into the quality and condition of the food provided for the prisoners, and whenever he shall have reason to believe that the same is unwholesome, he shall immediately make report thereof to the Jailor.

7. He shall have full control over the patients in the hospital subject to the rules of the prison and instructions from the Board of Prison Inspectors, and shall leave his daily general instructions as to the care, etc., of the patients, with the hospital steward.

DUTIES OF HOSPITAL STEWARD.

1. The Hospital Steward shall be the assistant to, and shall act under the immediate directions of the physician, about the hospital, and in his absence shall perform the duties of his office. He shall sleep in the hospital and not leave it without permission of the physician.

2. He shall have charge of the dispensary and hospital, for the good order and cleanliness of which, and all its surroundings, he shall be responsible.

3. He shall have charge of the sick in the hospital, and attend to the medical treatment of those not in the hospital, for whom it is prescribed, and shall strictly attend to all instructions that may be given him by the physician, as to their medicine, diet and treatment.

4. Should any prisoner appear to him to need the attention of the physician, he shall at once report the circumstances to the Jailor or his Deputy, in order that if necessary the physician may be sent for.

5. He shall carry out, under the Physician's orders, all regulations pertaining to the sanitary condition of the hospitat.

6. He shall never pemit any person in the hospital for any purpose, unless by consent of the physician, or by written order of the Jailor or his Deputy.

7. He shall never issue any medicines, or other supplies procured on hospital account, to any one unless directed to do so by the physician in charge.

DUTIES OE KEEPERS OR LUNAS.

1. The Keepers, or Lunas, are the agents of the Jailor in enforcing the discipline of the prison while absent therefrom with gangs of prisoners.

2. They shall be present at the turning out of the prisoners in the morning, and shall remain on duty until the Jailor or his Deputy shall have verified the number of prisoners returned by each of them in the evening as "correct."

3. They shall wear uniform dress, such as shall be prescribed by the Jailor, with the approved of the Board of Inspectors, which shall be worn while on duty.

4. They shall be supplied by the Deputy Jailor with policemen's clubs, which they shall wear upon their person while on duty.

5. Each Keeper shall be supplied with a book containing a time form, and the regulations governing the use of same, in which must be entered the names of the men containing his "gang" before he can take charge of same. Every prisoner added, from time to time, must be entered on the Keeper's book before being admitted to his gang.

6. The Jailor shall designate to each Keeper a place within the prison yard for assembling his gang, and the Keeper shall continue to muster his gang at such place until ordered otherwise by the jailor.

7. At the signal for mustering gangs, each Keeper shall take the station assigned him and form the prisoners under him in file of the grade to which they belong, call the roll, and await any instructions the Jailor or his Deputy, which ever may be in charge at the time, shall give. Before leaving the prison for the day, each Keeper shall inform himself as to the destination of his gang, so that there will be no delay in getting to work. Once outside the prison walls no Keeper is permitted to halt his gang, or allow any one to break ranks, until they arrive at the place designated for their days' labor.

8. After receiving instractions and getting his gang into order for march, each Keeper shall take his station in line with, and to the left of the last file in his gang. At a signal from the officer in charge of the yard he shall command forward march, and thereafter, in passing through the streets, he shall see that the men walk in order, in grade file, taking, as far as practicable, the curb to the right of the streets through which they are passing, that they keep their eyes directed in front, preserve strict silence, and avoid any intercourse or commanication whatever with their friends or others.

On arriving at their destination the Keepers will assign the prisoners to their work, destributing them in such a manner as to have all under constant observation, see that they labor diligently, and in silence, and daily note the degree of faithfulness and obedience of each prisoner by marks designated in the book provided to each keeper for that purpose.

RULES GOVERNING PRISONERS.

1. All convicted prisoners shall be divided into three grades. All convicted prisoners shall, upon conviction, enter the second grade, and shall be promoted into the first grade by special good conduct or degraded into the third grade by special or confirmed bad conduct, as such conduct may be established in the opinion of the Board of Prison Inspectors.

Prisoners of the first grade shall be assigned to the most desirable cells, as far as possible distinctly from the other prisoners; they shall be allowed to mess together and apart from the other prisoners; they shall have such preferences as may be practicable in respect of mess comforts, and longer hours of liberty than prisoners of the other grades; male prisoners shall wear a uniform dress of blue denim and black felt hat, of a pattern to be approved by the Board of Prison Inspectors; and in going to and from their places of work they shall be permitted to walk in threes.

Prisoners of the second grade shall receive the usual prison acommodation and treatment; male prisoners shall wear a uniform dress of the usual parti-colored description and material, and the usual straw hats; and in going to and from their places of work they shall walk in twos.

Prisoners of the third grade shall have their meals in their cells, and as far as possible shall be assigned to separate cells and deprived of intercourse with other prisoners; male prisoners shall wear a costume of convict cloth, with stripes of not less than 1 inch in width, alternately black and white, and the usual straw hats, and in going to and from their places of work they shall walk in single file in lockstep.

2. All prisoners committed for trial shall mess separately from convicted prisoners, and shall not be required to wear prison garb. Reasonable consideration shall be given to their antecedent circumstances.

3. Prompt obedience to any officer in charge is required at all times.

4. Prisoners are not allowed to speak to each other or to any other person, at any time, without permission from the officer in charge, except as in hereinafter allowed by the rules of their grade.

5. Fighting, quarrelling and making noises are strictly forbidden.

6. The possession or use of tobacco, opium or matches is forbidden.

7. Prisoners shall not bring anything witheir the prison walls except such articles as may be permitted or ordered by the Jailor or Deputy Jailor.

8. Each prisoner must take good care of his or her clothing, and preserve the cleanliness of his or her cell.

9. Any prisoners wishing to make any statement, complaint or request to the Jailor or Deputy Jailor, can only do so by perimistino of the officer in charge, who shall report the matter to the Jailor or Deputy Jailor, and the Jailor or Deputy Jailor shall give proper attention to such statement, complaint or request.

10. Prisoners shall not receive or send letters, except through the hands and under the inspection of the Jailor or Deputy Jailor.

11. Prisoners may be permitted, under the direction of the Jailor, to receive friends and to despatch and receive letters, as folfows: Prisoners of the first grade once a month, those of the second grade once in two months, and those of the third grade once in three months. Visiting shall be done on Sunday afternoons. Exceptions from this rule may be made in case of emergency, at the discretion of the Jailor or Deputy Jailor.