

Workshop on prisons, prisoners & prison records in historical perspective / atelier
de recherche: perspectives historiques sur les prisons, les personnes incarcérées
et les archives des prisons

University of Guelph, April 23-24 2019

Tuesday April 23

09:00 *Testing the Archive: Female Convict Offending in Van Diemen's Land/Tasmania*

Hamish Maxwell-Stewart, University of Tasmania, History and Classics

The records employed to manage convicts transported to the British penal colony of Van Diemen's Land in the 19th century are regarded as exceptional by early 19th century standards. They were, for example, amongst the first criminal justice series in the British Empire to include unique identifiers. This paper will use a complete count transcription of the Con 40 and 41 series held in the Tasmanian Archive and Heritage Office. These purport to contain summaries of all colonial court encounters for serving or former female convicts--a claim that will be tested by comparing information for the 67,606 court appearances recorded in these two series with details of offending in other classes of record. The paper will also explore ways of linking this remarkable series to other digitized records in order to place offending by transported convict women within a wider societal context. Finally, it will examine means of keeping this digitized series of records 'live', so that they can be of use for future generations.

09:45 *The Problem of Incarceration in the Age of Slavery: Penology, Race, and Reform in Louisiana Slave Prisons, 1805-1842*

John Bardes, Tulane University, History

The incarceration of enslaved people seems paradoxical and redundant: the enslaved were already prisoners, with no freedoms left to revoke. Historians of both slavery and of prisons have traditionally assumed that masters did not separately incarcerate enslaved people, while scholars in the traditions of both Marx and Foucault suggest the impossibility of prisons for the enslaved. However, my quantitative and qualitative analysis of previously overlooked penal records from Louisiana reveals that slaveholders sentenced vast numbers of enslaved persons to penal labor, often for months and years, within an expansive network of specialized, publicly funded slave prisons. These facilities borrowed penal practices from the slave prisons of Saint-Domingue (Haiti) and Jamaica, while incorporating ideas from American and European penitentiary theorists. Analysis of over 50,000 prison admittance records reveals that by 1820, 2% of enslaved people in New Orleans were incarcerated --comparable to Louisiana's contemporary African American incarceration rate.

Break

10:45 *Recidivism Revisited: The Example of Quebec Local Prisons in the Nineteenth and Early Twentieth Centuries*

François Fenchel¹ et Donald Fyson²

¹Université Laval, travail social et de criminology; ²Université Laval, histoire

We argue that high rates of recidivism in local gaols (as opposed to penitentiaries), and their fluctuation overtime, could bias our understanding of the nature of imprisonment, both its target population and its intensity. We explore the issue using the earliest extant Quebec gaol registers from the 1810s to 1914. We critique the calculation and use of recidivism rates by nineteenth-century prison administrators and prison reformers, and especially the official prison inspection reports often used by scholars. We examine in detail the impact of high recidivism rates on the apparent decline of criminalization levels in both Quebec City and Montreal in the last third of the nineteenth century and the relative criminalization of sociological groups such as the Irish and women. We also examine various strategies for estimating recidivism rates (both infra-year and multi-year) in the context of very extensive source records (250000+ admissions in the Montreal jail 1840-1914) and insufficient resources to create a 100% sample.

11:30 *Perspectives historiques sur les prisons, les personnes incarcérées et les archives des prisons*

Sophie Abdela, Université de Sherbrooke, histoire

À Paris, l'Ancien Régime n'a laissé aucun fonds constitué sur le monde des prisons. Comment, alors, accéder aux prisonniers? D'abord, l'historien a accès à une source classique : le registre d'écrou. Il y découvre le profil des hommes de la prison: noms, sexe et, parfois, origine, demeure et profession, crime commis. Cela nous dit qui est en prison, mais ne nous dit pas ce que ces hommes font en prison. Pour accéder à la prison vécue, les sources à privilégier sont celles du désordre: évasions, rixes, bris de prison, etc. suscitent la création de l'archive et font pénétrer l'historien dans le quotidien carcéral. Cette voie fait apparaître tout un monde que les registres d'écrou ne peuvent livrer : relations entre détenus, modes d'organisation, enjeux conflictuels, environnement matériel, liens (positifs ou non) entre les détenus et le personnel, emploi du temps, règlement officiel et lois officieuses, etc.

Lunch

13:00 *The gaol as a window into west coast society*

Kris Inwood¹ and Nicholas Vanexan²

¹University of Guelph, Economics and History; ²University of Guelph, History

Conflict arising from the first British Columbia gold rush in 1858 was a significant milestone in the encounter between British law and frontier behaviour on the west coast of North

America. The incarceration of increasing numbers of both Whites and Natives led to the opening of a purpose-built gaol in Victoria during 1864 and in nearby New Westminster and Nanaimo in 1875. The admission registers of the three jails survive in the B.C. Archives. This paper reports on the methodological challenges encountered in transcribing the records and making them research-ready. Particular attention is given to the challenge of identifying recidivists and ethnicity (principally European, First Nation, Chinese and Japanese). A careful reading of these data allows us to sketch in broad terms the offenders and their offences from 1864 to 1914 and to use the profile as a window into social and economic transformations on the northwest coast of North America.

13:45 *Constructing Quantitative Datasets from Archival Prison Records: Common Pitfalls and Possible Solutions*

Ashley Rubin, University of Toronto, Sociology

The digitization of archival records opens up tremendous possibilities for research and allows more people than ever to interact with otherwise rare primary sources. However, this access also presents particular challenges when data are presented out of context, particularly if quantified and without additional archival records or secondary sources. This paper uses several collections of archival data from Eastern State Penitentiary in Philadelphia. It focuses on the production of a quantitative dataset summarizing the demographic and administrative data on more than 7,000 prisoners incarcerated 1829-1871. I discuss inconsistencies between sources and identify contextual factors that are necessary for interpreting these data--particularly changes overtime as well as within-period variations. I close by noting that these challenges are not unique to digitization, but can follow any developments that make data more readily available, and by discussing specific suggestions for making digitized datasets more accessible to minimize common interpretation errors.

14:30 *Hootch, heroin and heights at the Minnesota State Prison, 1857-1920*

Evan Roberts, University of Minnesota, Sociology and Population Studies

The records of 12,000 prisoners incarcerated at the Minnesota State Prison 1857-1920 confirms that Midwesterners were taller and more robust than those born in the East, in spite of a decline from the 1820s to 1850s. In addition, beginning in 1893 the Minnesota State Prison began collecting extensive records of prisoners' health and socio-economic backgrounds including parents' birthplaces and occupations, and allowing us to assess the representativeness of prisoners against the federal census. Officials recorded health histories and asked a range of questions about the use of alcohol, tobacco and opium. These data reveal tobacco use was already widespread in the late nineteenth century and continued growing until World War I. Alcohol use fluctuated, and prisoners' reports of their [in]temperance seem less reliable. The paper concludes by exploring the correlates of overweight, obesity and cardiovascular disease indication among prisoners in the early twentieth century.

Break

15:30 *Imagining Rikers: A Social History of the Rikers Island Jail Complex*

Jayne Mooney, City University of New York, Graduate Center

This paper explores the social history of the Rikers Island jail complex in NYC, from 19th century debates on the need to build a penitentiary in NYC, through to the opening of Rikers Island, and to the present day. This paper discusses archival sources used to research this history -- official reports, records, memos, letters and media accounts -- outlining their strengths and weaknesses. Multiple sources are necessary, with the aim of using one to interpret the other in order to provide as complete an account as possible. Today Rikers is an "infamous symbol of criminal justice dysfunction", however, Rikers was designed as a "model" penitentiary: architecturally sophisticated and progressive in terms of policy. The project points to the importance of learning from the past, keeping an "eye" on what lessons social science can learn from history, as well as, the input into history that can be gleaned from social science.

16:15 *Documenting women's lives at Angola (Louisiana State) Penitentiary 1901-1961:*

Challenges Emerging from Archival Findings and Non-Findings

Nathalie Rech, Université du Québec à Montréal, histoire

My dissertation focuses on women at the Louisiana State Penitentiary (Angola), currently the biggest maximum-security prison in the U.S., with a history intertwined with slavery and convict-leasing. My research explores how gender combined with race led to different settings in terms of forced labor detail, and how African American women incarcerated along men were especially vulnerable to physical or sexual abuse among other aspects of their prison lives. Using a database built from prisoners' records, I mapped Angola socio-demographics. Working from newspapers and testimonials contained in clemency applications, court records and other sources, I selected women among the prisoners registered at Angola whose circumstances are more revealing. Collecting and assembling "traces" of a few women evinces much about their individual experiences before, during and after their time in prison. In this paper, I propose to discuss what the findings and non-findings (i.e. the silences of the archives) disclose about the incarcerated women's experiences of exploitation and confinement and their resisting voices.

Wednesday April 24

09:00 *Life goes on. Interstices in life-course data and how we interpret them*

Barry Godfrey, University of Liverpool, Sociology, Social Policy and Criminology

This paper explains how we have moved from the creation of biographies, case studies and prosopographies to larger life-course datasets. During the last twenty years the growth of 'Big Data' projects in the history of crime and imprisonment such as Founders and Survivors, the Prosecution Project and the Digital Panopticon has greatly advanced our knowledge. Aggregate-prosopographical approaches allow us to see patterns in life-course (offending, recidivism, desistance) by joining the data-dots in people's lives to interpret actions, intentions, and motivations, of historical figures. Have we, however, been overly positivistic in our approach? In theorising persistence and desistance across the life-course have we imposed life-course 'proforma' sets of accepted notions about peoples' lives which were created by and for life-course criminology? How do users and interpreters of historical data acknowledge assumptions made when data are absent (not missing, but absent), and how do we allow for different interpretations that dissent from that view?

09:45 *The Familiar as Ahistorical: Rethinking American Prison Rebellions*

Alex Tepperman, University of South Carolina, Sociology

This paper argues that an absence of candid, authentic inmate voices has indirectly resulted in an ongoing scholarly mischaracterization of pre-Civil Rights era prisoners as apolitical and disorganized. I use data accrued from more than 10,000 Depression Era (1929-1941) inmate case files in six penitentiaries throughout the United States, to discuss the ways in which historians and criminologists might employ a variety of sociohistorical perspectives to properly historicize prisoner uprisings. I argue that the Depression Era was more beset by major prison rebellions than any period in American history and that inmates throughout the country were, in fact, highly politically organized. I offer specific suggestions of how to escape what we might call the "Attica Gaze" -- the assumption that the 1960s and 1970s was a singularly important period in the development of prisoner activism -- by speaking to phenomenological techniques of reading institutional records "against the grain," and problematizing the academy's persistent essentializing of race in prison through a Civil Rights era lens.

Break

10:45 *Trial Penalties and Guilty Pleas: Evidence from the Quarter Sessions*

Chris Vickers, Auburn University, Economics

In modern English and American courts, guilty pleas are the dominant method of adjudicating criminal cases. The rate of pleading guilty was historically far lower in both jurisdictions. In this paper, I use the large growth in guilty pleas in England and Wales in the late 19th century as an experiment to study the effects of a dramatic increase in pleading

on the demographics of pleaders. I find males were substantially more likely to shift to pleading guilty than were women as pleading became more common even though the plea discount between men and women changed little. Although this discount, or alternatively the trial penalty, did not change, level differences in sentencing moved more substantially, with men facing increasingly more severe sentences than women. There is some evidence that conviction rates for men increased relative to those for women, which could have led men to plead guilty at higher rates.

11:30 *Prisons and prisoners in Minas Gerais*

Mateus Rezende de Andrade¹, Kris Inwood² and Fabio Faria Mendes

¹Universidade Federal de Minas Gerais, Faculdade de Filosofia e Ciências Humanas;

²University of Guelph, Economics and History; ³Universidade Federal de Viçosa, Historia

This paper reports on the first systematic examination of prisons and prisoners in Minas Gerais, home to the largest slave population of the Portuguese Empire. Two record sets of the Chefia de Polícia held at the Arquivo Público Mineiro provide a starting point for our research. Annual reports of police chiefs throughout the state 1894-1922 give an overview of police and judicial institutions and activities (including purpose-built prisons and small spaces attached to police stations for short-term confinement). Annual registers of individual prisoners describe literacy, occupation, color, and physical characteristics in addition to personal information and details of offence/sentencing. Admission and inventory registers for roughly 6000 prisoners in a sample year (1915) illustrate the kinds of people who appear in the records, the extent to which they represent different regions, ethnicities and social classes within the state, and methodological challenges encountered in the construction of a useful database.

Lunch

13:00 *Prison records from the Netherlands: 1811-1940*

Catrien Bijleveld, Netherlands Institute for the Study of Crime & Law Enforcement

The Netherlands has had a centralized prison system since 1842. Fortunately, prison registers containing the names and other details of incarcerated men and women have survived almost completely since 1842 (and incompletely before that date). This presentation will give an overview of the surviving records and their content, will outline various ways in which the records can be preserved electronically and will discuss a number of questions that can be answered using a digital archive of prison records, such as on sentence length for selected offences, gender disparities and the size of the Dutch prison population.

13:45 *Evidence of Prisoners Lives: Official Statistics and Inmate Culture in Modern Italy*

Mary Gibson, City University of New York, History

Following Italian unification in 1861, prison administrators and criminal anthropologists produced significant "evidence" about the conditions of inmate life. My paper reconstructs the theory and practice of post-unification prison reform from "above" (state and professional elites) as well as from "below" (inmates) using two very different sources - government statistics and inmate art. Because most prisoners were illiterate and left no letters or diaries, imaginative use of official documents usefully illuminates life within the prison. Yearly statistical volumes provide glimpses into the everyday life of inmates: who attended school, read library books, sent letters, received visitors, revolted against prison rules, and were subjected to differing degrees of punishment. Criminal anthropologists, most notably Cesare Lombroso, collected songs, poems, slang, graffiti, art, tattoos, and other examples of a prisoner subculture that was vibrant, creative, and sometimes subversive. The two sources allow a gender analysis of the divergent experience of female and male prisoners.

14:30 *The Archival Remnants of the Uganda Prisons Service: Ethical Considerations for Scholars*

Kate Bruce-Lockhart, University of Toronto, Historical Studies and Jackman Humanities Institute

This paper will explore the ethical implications of using the records of prisoners and prison officers in colonial and early postcolonial Uganda. Scholars seldom consider the ethics of utilizing archival records in research. This paper will illuminate opportunities and challenges of working with Uganda Prisons Service records, focusing in particular on the ethical questions one faces when studying periods of intense political violence, such as Idi Amin's military dictatorship in the 1970s. These files offer valuable insight into the lived experiences of both colonial and military rule. Yet, they also offer a range of personal details, photographs, disciplinary reports, and sensitive information, and thus must be used carefully by scholars. This paper also addresses issues of ownership and access, considering the placement of these archives, the question of who can view them, and what right prison officers and prisoners have to their own records.

Break

15:30 *Do we need HISCRIME?*

Catrien Bijleveld¹, Barry Godfrey² and Kris Inwood³

¹Netherlands Institute for the Study of Crime & Law Enforcement; ²University of Liverpool; ³University of Guelph

What would be the value of a standard ie widely accepted classification system for offences recorded in the historical documents of diverse countries, and how would we get it?

16:30 *Unlocking historical prison data: Fyson, Inwood & Maxwell-Stewart*

Anticipated participants (as of Dec. 30)

Sophie Abdela, Université de Sherbrooke, histoire
John Bardes, Tulane University, History
Catrien Bijleveld, Netherlands Institute for the Study of Crime & Law Enforcement
John Cranfield, University of Guelph, Food, Resource and Agricultural Economics (23rd only)
Kate Bruce-Lockhart, University of Toronto, Historical Studies and Jackman Humanities Institute
Elizabeth Ewan, University of Guelph, History
François Fenchel, Université Laval, travail social et de criminology
Donald Fyson, Université Laval, histoire
Mary Gibson, City University of New York, History
Barry Godfrey, University of Liverpool, Sociology, Social Policy and Criminology
Philip Goodman, University of Toronto, Sociology
Jordan House, York University, Political Science
Kris Inwood, University of Guelph, Economics and History
Ian Keay, Queens University, Economics (not confirmed)
Alexandra Marshall, University of Guelph (Sociology and Criminology)
Hamish Maxwell-Stewart, University of Tasmania, History and Classics
Katie-Marie McNeill, Queens University, History
Jayne Mooney, City University of New York, Graduate Center
Nathalie Rech, Université du Québec à Montréal, histoire
Mateus Rezende de Andrade, Universidade Federal de Minas Gerais and U of Guelph, History
Fabio Faria Mendes, Universidade Federal de Viçosa, Historia
Evan Roberts, University of Minnesota, Sociology and Population Studies
Ashley Rubin, University of Toronto, Sociology
Nancy Tatarek, Ohio State University, Anthropology
Alex Tepperman, University of South Carolina, Sociology
Nicholas Vanexan, University of Guelph, History
Chris Vickers, Auburn University, Economics
William Wicken, York University, History (not confirmed)
Stuart Wilson, University of Regina, Economics