

Good Intentions, Disappointing Results: A History of the Julia Tutwiler Prison for Women

TIM DODGE

THE FISCAL CRISES AFFLICTING THE STATE GOVERNMENT OF ALABAMA in recent years have been felt particularly hard in the state's prison system.¹ Faced with serious overcrowding of inmates and a lack of staff at the Julia Tutwiler Prison for Women, located in Wetumpka in Elmore County in the middle of the state just north of Montgomery, the state began shipping female convicts to private prisons in Louisiana in 2003.² Four years later, the Alabama Department of Corrections was able to bring back all of these women, thanks to the renovation of a second, smaller women's prison, the Montgomery Women's Facility.³ While overcrowding, understaffing, and underfunding are not unique to Tutwiler or the male prisons of Alabama, they are problems and issues that have helped determine the history of the Julia Tutwiler Prison. Since the incarceration rate of women is now increasing faster than that of men in the national prison population, an examination and analysis of the history of the women's prison of

Tim Dodge is a Reference Librarian and Subject Specialist in History and Political Science at the Ralph Brown Draughon Library, Auburn University. He would like to thank the *Alabama Review* editors and manuscript referees for making suggestions that significantly improved this article.

¹Mike Cason, "State Budget Gap Widens," *Montgomery Advertiser*, December 5, 2002; Mike Sherman, "Prison Bill Gets Final Approval," *Montgomery Advertiser*, April 2, 2003; Mike Sherman, "Riley Approves Cash for Prison Bailout," *Montgomery Advertiser*, April 10, 2003; Jannell McGrew, "Overflowing Prisons Await Plan of Action," *Montgomery Advertiser*, February 1, 2005.

²Bob Johnson, "Panel OKs Funds for Tutwiler," *Montgomery Advertiser*, March 6, 2003; Mike Cason, "Judge: Inmate Transfers Likely," *Montgomery Advertiser*, March 7, 2003.

³Rick Harmon, "State Makes Room for 1300 Returning Inmates," *Montgomery Advertiser*, July 15, 2007; Brian Corbett, "Female Inmates Return to Alabama," *Corrections News*, December 2007, 1, 3, available online at <http://www.doc.alabama.gov/newsletters/Dec07.pdf>.

Alabama can help us understand the current situation and see how Alabama fits into the national picture.⁴

In many ways the history of Tutwiler Prison can be described as an almost constant struggle to fulfill the ideal of rehabilitating inmates in the face of frequent fiscal crisis, neglect, and lingering patriarchal attitudes concerning appropriate standards of female behavior. In its sixty-odd years of existence, Tutwiler appears to have been a typical American custodial prison for women despite various attempts to make it a rehabilitative institution. Estelle Freedman, among others, says that prison discipline in America has traditionally been employed to make female offenders fit the domestic stereotype of women, and that rehabilitation means molding offenders into the desirable model of middle-class white women.⁵ Considering that the majority of Tutwiler's inmates has been lower-class African American women, it may not be surprising that the mission of rehabilitation has been fraught with difficulties.

There is some evidence that Tutwiler has begun to move away from this profile. The typical inmate of Tutwiler has changed over time, as a study of factors such as race, socioeconomic status, and patterns of crime shows. This typical inmate has become better educated, less violent, and more involved with drugs, and the racial balance at Tutwiler, while still disproportionately black, has changed significantly. What does this say about the criminal justice system and race? What does the inmate experience at the prison tell us about the struggle between the rehabilitative ideal and the custodial reality of limited financial resources and opportunities for women?

In recent decades, historians have identified several themes illustrating the differences between the male and female experience in

⁴In 1970 there were 5,600 women in prison in the United States; in 1996 there were 75,000 according to Joycelyn M. Pollock-Byrne, *Women, Prison, & Crime* (Pacific Grove, Calif., 1990), 2. In 2004 there were 96,125 according to Table 337, "Federal and State Prisoners by Sex: 1980 to 2004," in U.S. Census Bureau, *Statistical Abstract of the United States 2007*, 126th ed. (Washington, D.C., 2007), 210. See also Elliott Currie, *Crime and Punishment in America* (New York, 1998), 14. The rate of growth of the female prison population in the United States has been "more dramatic" than that of males for the period 1980–2000; see Candace Kruttschnitt and Rosemary Gartner, "Women's Imprisonment," *Crime and Justice* 30 (2003): 4–5.

⁵Estelle B. Freedman, *Their Sisters' Keepers: Women's Prison Reform in America, 1850–1930* (Ann Arbor, 1981), 62.

the criminal justice system. Since the implementation of imprisonment as the major form of punishment for convicted felons in early nineteenth-century America, the treatment of female offenders has been problematic. This was partly because the number of convicted female offenders was much smaller than the number of male offenders. American law enforcement officials did not know what to do with female offenders and for much of the nineteenth century either housed them in an annex of the nearest men's prison or came up with ad hoc arrangements. A major complicating factor was the changing conception of the role of women in American society. At first, female offenders were regarded as monstrous beings and not female—real women were assumed to be morally superior to men and hence incapable of crime.⁶ Female convicts were therefore not considered redeemable, unlike many male inmates (males being inherently less moral than females) who were seen as candidates for rehabilitation via the penitentiary. Thus, early on, females were treated in a custodial manner while males, in theory at least, were treated as candidates for rehabilitation. In practice, most male inmates also ended up serving time in custodial rather than rehabilitative settings but, unlike most females, were not neglected and forgotten in an annex somewhere. Most male inmates were put to work for the prison or the state. Although this work was supposed to be rehabilitative, it frequently ended up being exploitative and characterized by harsh discipline.

Many historians agree that the experience of female prisoners, while less brutal, was worse than that of males, largely as a consequence of neglect.⁷ Unlike female prisoners, males had something to do much of the time and the small number of rehabilitative programs and educational opportunities were, with few exceptions, made

⁶Cyndi Banks, *Women in Prison: A Reference Handbook* (Santa Barbara, 2003), 2; Clarice Feinman, *Women in the Criminal Justice System*, 3rd ed. (Westport, Conn., 1994); Russell P. Dobash et al., *The Imprisonment of Women* (New York, 1986). One contrary assertion claims that female criminals were considered merely to be misguided rather than dangerous and thus appropriate candidates for rehabilitation; see John P. Sargent Jr., "The Evolution of a Stereotype: Paternalism and the Female Inmate," *Prison Journal* 64 (Spring–Summer 1984): 39.

⁷Freedman, *Their Sisters' Keepers*, 15; Nicole H. Rafter, *Partial Justice: Women in State Prisons 1800–1935* (Boston, 1985), 178–80.

available to male inmates only. Even the promising establishment of reformatories for women and youthful offenders between 1870 and 1930 ended up being more oppressive for women than men. With the introduction of indeterminate sentencing laws, women could be imprisoned for longer terms than men for similar offenses, usually of a public-order or moral nature.⁸ This use of indeterminate sentencing to keep women in custody longer tied in with the stereotype of women as being sexually and morally purer than men.

It was thanks largely to the efforts of the members of Alabama business and professional women's clubs in the 1930s that the Julia Tutwiler Prison for Women was established in 1942. Groups such as the Birmingham chapter of the American Association of University Women (AAUW) conducted investigations into the conditions of female prisoners and, according to Mary Dixie Dysart, "as a result of their independent status, [these groups] were able to reject or transcend the values of the traditional patriarchal system."⁹ Alabama had not participated in the women's reformatory movement as had many northern and midwestern states between 1870 and 1930, and most states did not maintain a separate women's prison even as late as 1930. Tutwiler was one of twelve women's prisons built between 1930 and 1960.¹⁰ Of these, seven were located in the South and of those only two were established after Alabama's: West Virginia's State Prison for Women in 1948 and Georgia's Rehabilitation Center for Women in 1957.¹¹

Although the Julia Tutwiler Prison for Women opened in December 1942 to very little fanfare, its establishment represented the culmination of reform efforts by several professional women's groups. It was not, however, the outcome for which these organizations were originally lobbying. Groups such as the Birmingham chapter of the AAUW and the Alabama Federation of Women's Clubs (AFWC) started out

⁸Rafter, *Partial Justice: Women in State Prisons*, 25–27.

⁹Mary Dixie Dysart, "'No Place for a Christian': Women Inmates in Alabama Prisons, 1901–1943" (PhD diss., Auburn University, 1999), 270–76.

¹⁰Freedman, *Their Sisters' Keepers*, 144–45; Pollock-Byrne, *Women, Prison, & Crime*, 84; Nicole H. Rafter, *Partial Justice: Women, Prisons, and Social Control*, 2nd ed. (New Brunswick, N.J., 1990), 18.

¹¹Pollock-Byrne, *Women, Prison, & Crime*, 50–51.

during the Progressive Era with diffuse interests in prison reform in general, with a special focus on youth.

The first mention by these groups of prison reform of any kind took place in 1897 at the second annual convention of the AFWC with a speech by Mrs. R. D. Johnston on the need for a boys' reformatory.¹² This was an era during which such institutions were being established on a national scale to address the problem of delinquent youth, both male and female.¹³ The closest thing to a women's prison to come from these efforts in Alabama was the establishment in 1900 of the State Training School for Girls. In 1911 the school, located in Jefferson County near Birmingham, received a charter from the Alabama Legislature. According to Mildred W. Wells, Alabama was the first southern state to "recognize the necessity for a home for neglected girls." The school was intended for girls ages twelve to eighteen, and the typical sentence was for nineteen months.¹⁴ Over the next decade the AFWC followed national trends and began to support efforts to establish a juvenile court system for both white and black youth.¹⁵ The organization's interest in juvenile justice and other prison reforms appears to have died down as the Progressive Era came to an end. Nevertheless, it was just at this point that an isolated expression of interest in the plight of Alabama female prisoners was registered by an official of the state prison system itself.

Dr. R. A. Smith, Physician Inspector of the Board of Inspectors of Convicts, stated in his report of August 31, 1918, "As to the women's apartments, I consider them inadequate and unfit to keep inmates, as we are compelled to do at Speigners [*sic*], although we have kept them in a healthy condition and given them pure water and good shower baths, but with poor quarters to sleep."¹⁶ Unfortunately, Smith's cri-

¹²Lula H. Craighead, *History of the Alabama Federation of Women's Clubs, Vol. I, 1895-1918* (Montgomery, 1936), 27.

¹³Robert M. Mennel, *Thorns & Thistles: Juvenile Delinquents in the United States, 1825-1940* (Hanover, N.H., 1973), 102-23.

¹⁴Mildred W. Wells, *History of the Alabama Federation of Women's Clubs, Vol. II, 1917-1968* (Montgomery, 1968), 52.

¹⁵Craighead, *Alabama Federation of Women's Clubs*, 156, 170, 197; see also Mennel, *Thorns & Thistles*, 124-57.

¹⁶*Quadrennial Report of the Board of Inspectors of Convicts, Sept. 1, 1914 to Aug. 31, 1918* (Montgomery, 1918), 22.

tique of the poor conditions at Speigner (a prison for male inmates) appears to have fallen on deaf ears since there is no mention by the state government of establishing a separate facility for women until the opening of Tutwiler nearly a quarter of a century later.

A decade after Smith's report the AFWC became active again in prison reform but did not focus on women prisoners specifically. Under the leadership of Mrs. Charles Clifford Adams, the organization helped push for a major piece of legislation that was passed in 1927 and implemented in 1928, the abolition of the convict lease system.¹⁷ From 1866 through 1928 state convicts in Alabama were leased out to private enterprises such as the Tennessee Coal, Iron and Railroad Company to work in the mines, as well as to other railroad companies and plantations. Not surprisingly, this practice led to abuses as private entrepreneurs sought to exploit convict laborers in the pursuit of profits.¹⁸ Under president Vera G. Quinn's leadership (1931–33), the AFWC's Prison Survey Committee studied four of the state's prisons and came up with six recommendations for improvement. Only one concerned female prisoners, that the AFWC offer financial aid to the State Board of Administration (an earlier name for the Department of Corrections) to provide released female prisoners opportunities for useful employment.¹⁹

At this point another prominent local professional women's group, the Birmingham branch of the AAUW, began to take an interest in the rehabilitation of female inmates in the Alabama criminal justice system. At the group's May 3, 1932, meeting, Dorah H. Sterne introduced Mary H. Fowler, head of the State Training School for Girls, as a speaker. Fowler discussed her work at the school and spoke about

¹⁷Wells, *Alabama Federation of Women's Clubs*, 112, 123; *Code of Alabama* (1928), ch. 106, sec. 3702, pt. 1.

¹⁸Robert D. Ward and William W. Rogers, "Punishment Times Seven More: The Convict Lease System in Alabama," *Alabama Heritage*, Spring 1989, 20–33.

¹⁹Wells, *Alabama Federation of Women's Clubs*, 125. The Alabama Department of Corrections has gone through many name changes in its long history. To avoid confusion, this article will refer to it as the Department of Corrections (the most recent name). To trace the evolution of the department's name—from Inspectors of the Penitentiary in 1841 to Board of Corrections in 1952—see the Department of Correction's Web site at <http://www.doc.alabama.gov/history.asp>.

“the weaving and other hand work the girls execute” and encouraged the AAUW membership to visit the school “and accept the girls after they reenter private life.”²⁰ Sterne, who was a prominent Birmingham citizen active in groups such as the League of Women Voters, became increasingly active in the cause of prison reform over the next decade and actively pushed for the establishment of a women’s prison (her husband, Mervyn H. Sterne, was a prominent Birmingham businessman and civic leader). Her work on prison reform led directly to the establishment of the Julia S. Tutwiler Prison for Women.²¹

The Birmingham AAUW’s Committee on the Legal and Economic Status of Women took an interest in the condition of women in the Alabama prison system in 1936 or 1937.²² Their interest was reportedly the result of a newspaper article on female inmates, which prompted several members to meet with the state prison officials and make an inspection of the “Alabama State Prison for Women,” which was in fact the original Alabama State Prison, intended for male inmates, located in Wetumpka and known as “The Walls.” A study group was formed with plans to make inspection trips to other women’s institutions in Birmingham, Jefferson County, and Alabama in general. The group’s efforts were modest at first; as of March 1937, the Birmingham organization reported that “the accomplishments of the Group so far have been limited. The aim for this year has been to build up an active group interested in the problems that confront

²⁰Minutes of Meetings, “28th Regular Meeting,” May 3, 1932, Folder 164.1.3.1.7, p. 375, Organizational Files, American Association of University Women, Birmingham Branch Papers, Department of Archives and Manuscripts, Birmingham Public Library (hereafter referred to as AAUW Birmingham Papers). The State Training School for Girls was established in 1900 in Chalkville (near Birmingham). After being chartered by the Alabama Legislature in 1911, it came under the authority of the Alabama Child Welfare Department when the latter agency was established in 1919. See Wells, *Alabama Federation of Women’s Clubs*, 52; Myrtle Brooke, “An Alabama Institute,” *Social Forces* 5 (December 1926): 270; Gladys R. Pugh, “The Alabama Child Welfare Department” (master’s thesis, University of Alabama, 1922); *United States Agricultural Information Network (USAIN) State and Local Literature Preservation Project: Alabama* (Auburn, 1997), microfilm, Reel 154; *University of Montevallo 2005–2006 Bulletin* 91 (Montevallo, 2005): 8.

²¹Miriam A. Toffel, *A Collection of Biographies of Women Who Made a Difference in Alabama* (Birmingham, 1995), 142–44.

²²“Report of Birmingham Branch Committee on Legal and Economic Status of Women,” March 1937, Subject Files, AAUW Birmingham Papers.

this community.”²³ Despite this modest disclaimer, 1937 marked the beginning of a more sustained effort by the Birmingham AAUW to investigate and discuss prison issues in general as well as the condition of female prisoners in Alabama.

Sterne led much of the effort within the Birmingham AAUW to investigate the issue of female prisoners in Alabama. She became an active correspondent with officials in the Alabama state prison system and sought out occasions on which to meet with them in person.²⁴ Sterne also led fund raising efforts to ameliorate conditions for Alabama female prisoners by establishing recreational programs and purchasing “playground equipment” such as volley balls and nets, croquet sets, jacks, and jump ropes.²⁵ In addition to purely humanitarian concerns, Sterne and others of the AAUW considered rehabilitation of female prison inmates to be important. In correspondence concerning the Ketonah prison camp (intended for offenders serving sentences of one year or less) located near Birmingham, Sterne stated, “so far there has been no attempt at rehabilitation.”²⁶ Hallie Shook also took an active interest in this issue through her Birmingham Problems study group, which was part of the AAUW. She reported on the expressions of gratitude her group received from officials at Ketonah “for their efforts in helping with the work at the prison.”²⁷ In a letter to the membership of the Birmingham branch, Sterne spoke glowingly of the efforts of Shook, along with Celeste

²³Ibid. In the years before the construction of Tutwiler, Alabama female convicts were held in the prison in Wetumpka. This was Alabama’s first prison, which was originally intended for male convicts. Tutwiler was the first prison constructed specifically to house female convicts. Dysart, “No Place for a Christian,” 3, 279.

²⁴See, for example, C. B. Rogers, President, Board of Administration, to Mrs. D. H. Sterne, “Concerning aid of Jefferson County League of Women Voters to assist Convict Department of State Board of Administration in some of their activities,” January 28, 1937, Folder 164.3.17.3.22, Subject Files, AAUW Birmingham Papers.

²⁵Dorah H. Sterne to Mrs. J. D. Stewart, Matron, Wetumpka Prison for Women, June 12, 1937, and list, “Prices Playground Equipment Season 1937 [for Ketonah Prison],” both in Folder 164.3.17.3.22, Subject Files, AAUW Birmingham Papers.

²⁶Dorah H. Sterne to Helen Herndon, Birmingham branch Secretary, June 1938, Folder 164.3.17.3.22, Subject Files, AAUW Birmingham Papers.

²⁷Minutes, May 193[?], Folder 164.1.3.7, in ledger, Minutes of Meetings: 25 May 1937–13 May 1942, p. 513, Organization Files (hereafter referred to as AAUW Minutes), AAUW Birmingham Papers.

Hendrix and Mrs. James Morrison, to influence the Jefferson County government to improve conditions at Ketonah. The letter referred to Harry Herndon, husband of the group's secretary, who, under the influence of this group, was "reorganizing the county penal system" for Jefferson County and regularly sought their advice.²⁸

At the very same time that these Birmingham-area professional women's groups were becoming increasingly active in their investigations into Alabama's (and, particularly, Jefferson County's) criminal justice problems, the federal government provided a catalyst for action through the publication of *The Prison Problem in Jefferson County, Alabama: A Survey by the Prison Industries Reorganization Administration*. The Prison Industries Reorganization Administration (PIRA) was created by an executive order of President Franklin D. Roosevelt on September 26, 1935. PIRA conducted studies, surveys, and investigations of penal and correctional institutions around the country for the purpose of recommending reorganization programs "to relieve private industry and labor of any undue burden of competition" as well as "to eliminate idleness and to provide an adequate and humane system of rehabilitation of the inmates of such institutions."²⁹

On January 31, 1939, at a special meeting of the Birmingham AAUW, Sterne proposed that they invite PIRA director James P. Davis to speak to the group.³⁰ Receiving the board's approval, Sterne invited Davis to speak in March. Things moved rapidly over the next few months as the AAUW established formal study groups on penal institutions and delinquency. The AAUW drummed up a high level of public interest in the issue of prison reform through the Davis lecture by inviting local government officials, Col. William E. Persons (director of the State Convict Department, which was part of the Department of Corrections), "all social workers in the city," and sociology classes from Howard College (now Samford University) and Birmingham-Southern College.³¹

²⁸AAUW Minutes, July 15, 1938, p. 560.

²⁹Office of Government Reports, *United States Government Manual* (Washington, D.C., 1939), 2:305-306.

³⁰AAUW Minutes, January 31, 1939, p. 575.

³¹"James P. Davis Lecture," *AAUW Bulletin* (Birmingham branch), March 1939, 1.

Through his attendance at the Davis lecture, Persons became a contact for officers of the Birmingham AAUW, and this *entrée* would ultimately lead to the establishment of the Julia Tutwiler Prison for Women a few years later. The AAUW's Penal Study Group maintained cordial relations with Persons; on April 4 the group invited him, along with Henry Herndon, head of the Jefferson County Convict Department, to a luncheon.³² Sterne reported to the AAUW about "the enthusiasm" Persons demonstrated while addressing the luncheon group of twenty-four members plus guests.³³ Meanwhile, the organization conducted more research into the issue of prison reform in Alabama. For example, the Birmingham AAUW's Committee on the Legal and Economic Status of Women surveyed thirty-seven public and private institutions to determine the number of women on their boards, and sent a letter to the governor urging "the placing of competent matrons at the Wetumpka and Ketona[h] Prisons." The AAUW's Legislative Group engaged in outreach to the public by mailing circulars and making telephone calls encouraging people to contact the state legislature to work on a bill on prison reform.³⁴

Getting Persons on board was a crucial step since, as director of the Department of Corrections, he had the necessary influence to make the concept of a women's prison a reality. Over the next few years, Persons took over from Sterne and the AAUW as the driving force for this initiative. In 1941 the AAUW's Prison Project Committee spoke with Persons "concerning the new prison for women at Wetumpka. He stated that construction was progressing rapidly. He suggested that the women of the State furnish the library with books when the building is completed."³⁵ The AAUW greeted Persons's involvement with enthusiasm and gratitude, sponsoring his appearance as speaker before the organization's Joint Legislative Council in the Fall of 1941.³⁶ Nearly a year later, the *Montgomery Advertiser* gave Persons

³²"News Notes," *AAUW Bulletin* (Birmingham branch), May 1939, 2.

³³AAUW Minutes, April 4, 1939, p. 602.

³⁴AAUW Minutes, May 2, 1939, p. 608.

³⁵"Status of Women Committee 29 January 1940–1947" and "Final Report Prison Project Committee 1941," Subject Files, AAUW Birmingham Papers.

³⁶AAUW Minutes, September 4, 1941, p. 731; September 17, 1941, p. 734; and November 18, 1941, p. 761.

most of the credit for the establishment of Tutwiler by stating, "The change was decided upon after conferences with Col. W. E. Persons, director of Department of Corrections and Institutions, and has been under consideration several months."³⁷

The new prison was named after Julia Strudwick Tutwiler (1841–1916), an Alabama educator, social reformer, and advocate for women's education and prison reform who was known as "the angel of the stockades" for her efforts.³⁸ In 1939 the *AAUW Bulletin* featured an article recognizing Tutwiler's enthusiastic advocacy for women's educational opportunities.³⁹ The fact that the prison was named after Tutwiler suggests that the rehabilitation of female prisoners was recognized as a major part of the institution's mission.

With most of the impetus for establishing a separate women's prison in Alabama coming from the efforts of professional women's groups, it is clear that the intended purpose of the prison was the humane treatment and rehabilitation of female prisoners. An analysis of the primary sources available, however, reveals that the good intentions of these prison reformers rather rapidly devolved into mostly disappointing results.

The main sources of information about the Tutwiler Prison and its inmates are the annual reports of the Alabama Board of Corrections (later known as the Department of Corrections). These reports are largely statistical in nature and cover the entire prison system, not just Tutwiler. There is some variation in format over the decades and some reports have helpful narrative descriptions. Unfortunately there is no complete run of these reports—even the department's public information officers were unable to locate many of the missing reports—and thus some data have been lost.⁴⁰ Information on

³⁷"'Womanized' Regime Planned to Guide Destinies of Prison," *Montgomery Advertiser*, October 21, 1942.

³⁸Elizabeth D. Schafer, "Julia Strudwick Tutwiler," in *American National Biography*, ed. John A. Garraty and Mark C. Carnes (New York, 1999), 22:45–46.

³⁹"Julia Tutwiler Name Mentioned for Fellowship Fund," *AAUW Bulletin* (Birmingham branch), March 1939, 12.

⁴⁰The collections at Auburn University and the Alabama Department of Archives and History (ADAH) were consulted but the following gaps in the annual reports could not be filled: 1951–53, 1955–59, 1976, 1985, 1994, and 1998. E-mail exchanges between author and Brian Corbett, Public Information Officer of the Alabama Department of Corrections,

Tutwiler can also be gleaned from prison system investigations of 1949 and 1971, newspapers, and administrative files located at the Alabama Department of Archives and History (ADAH). One of the few sources providing the inmates' perspective is the *Alabama Prison Project Newsletter* (the full title varies) published irregularly from 1981 to 1998.

The most detailed historical investigation of women prisoners in Alabama appears in Dysart's 1999 dissertation, "*No Place for a Christian*": *Women Inmates in Alabama Prisons, 1901–1943*. Dysart covers the four decades prior to the establishment of the Julia Tutwiler Prison for Women and argues that the criminal justice system of Alabama was essentially a patriarchal form of social and sexual control of women. She also concludes that racial control was a major component of the imprisonment of women. For example, there was no significant prison reform effort in the early decades of the twentieth century in large part because between 93 and 97 percent of the female prisoners were African American.⁴¹ She asserts that racism and the sexual control of women in Alabama were "irrevocably intertwined." Dysart examines the treatment of female offenders including felons, petty criminals, and misdemeanants.⁴²

Female occupational stereotyping was a significant influence on the implementation of prison discipline at Tutwiler from the beginning, even as the Board of Corrections announced its intentions to emphasize the rehabilitative aspects of prison labor over financial profits. In 1943 Director Edgar P. Russell grandly declared, "The commercial aspects of the prison system are still important, but they are now properly reckoned as distinctly secondary to the system's main purpose, which is to return to the free world as many good and useful citizens as possible from the prison population."⁴³ Nevertheless, even at this very optimistic moment, the women of Tutwiler were being

September 8, 2003–May 10, 2004; and e-mail exchanges between author and David Horn, assistant to Brian Corbett, January 8, 2004–May 17, 2004.

⁴¹Dysart, "No Place for a Christian," 49–50.

⁴²Ibid., 122. This article will focus only on the treatment of female felons and not petty criminals since prison is normally intended for felons only.

⁴³*Administrative Organization of the Department of Corrections and Institutions Published May 1, 1943 by Department of Corrections and Institutions* (n.p., n.d.), Box SG21633, p. 2, Alabama

set to work in the prison's knitting mill and garment factory, producing prison clothing for inmates of the entire Alabama state prison system.⁴⁴ As has long been common in other prisons, the inmates of Tutwiler were also put to work within the prison at tasks that maintained the institution, such as the laundry and kitchen.⁴⁵ To help cut costs and to raise money, inmates were also set to work on the farm located on the prison grounds.

Perhaps commercial aspects were supposed to be "reckoned as distinctly secondary," but most of the annual reports provide a detailed financial accounting of prison industries, with special attention being paid to revenues versus expenses. As a government institution in a historically poor state, the prison authority was particularly concerned with sound financial management, but it is notable that rehabilitation of inmates has frequently been absent from the annual reports.

In addition to reflecting a preoccupation with financial profitability, prison industries at Tutwiler followed the typical pattern of employing inmates at low-wage, low-skill, female-dominated occupations, thus ensuring that released inmates would not be truly rehabilitated in terms of having new, viable skills in the modern workplace. As of 1954 Tutwiler inmates were kept at work at various operations including a garment factory, a knitting mill, and "a small canning plant" canning surplus vegetables raised on the prison's farm. Unfortunately, "all of the small industries [were] handicapped by insufficient or obsolete equipment," admitted Department of Corrections Chairman J. F. Britton.⁴⁶ By the 1959–60 fiscal year the canning plant and the prison

Department of Corrections and Institutions Records, ADAH. The same point was reiterated almost half a year later: "The current emphasis on prisoner rehabilitation in Alabama is here to stay, and it must not be sacrificed to the urge to make money through excessive or ill-advised use of prison labor;" *A Report by the Department of Corrections and Institutions of Alabama October 1943* (n.p., n.d.), p. 19, Box SG21633, Alabama Department of Corrections and Institutions Records, ADAH.

⁴⁴ *Report by the Department of Corrections and Institutions of Alabama October 1943*, 12.

⁴⁵ For example, women prisoners in Indiana performed such institutional maintenance work as painting rooms, renovating the chapel, repairing walks, building steps, and cementing floors. Freedman, *Their Sisters' Keepers*, 91.

⁴⁶ *Report of the Board of Corrections: State of Alabama, Quadrennial Report 1951–1954; Statistical Report 1953–1954* (n.p., n.d.), 11.

farm were suffering from a net loss of revenue.⁴⁷ Most farms located at the male prisons were sources of revenue, but Tutwiler's farm was an exception. For example, over the 1946–47 fiscal year, the farm cost the prison \$12,327.19. The garment factory, in comparison, brought in a net revenue of \$34,820.14.⁴⁸

By 1962 the garment factory and knitting mill were consolidated under the term “clothing factory.” Unfortunately, the quality of the factory's products was not very high, according to the 1971 report of the state legislature's Alabama Prison Study Committee. On a visit to the Atmore Prison Farm, the committee noted

The first item to draw our attention was the condition of uniforms of correctional personnel. They were very nearly worn out and a great many were actually ragged and unsightly. Upon closer examination we determined that the uniforms were made of an extra low quality material which had been poorly constructed to begin with, so that it is almost impossible to launder and press them to any degree of satisfaction.⁴⁹

The report went on to note that “the prisoners' clothes were found in an almost intolerable condition. . . . Most of them extremely ragged, ripped, worn out and/or torn up. Tremendous numbers of pants are beyond repair and have the seats completely worn out.”⁵⁰

Tutwiler inmates were kept at work in the clothing factory and canning plant throughout the 1960s and 1970s until the appearance of a new prison industry during the 1977–78 fiscal year: data processing. In that year the canning plant saw a net loss of \$47,828.04 while the clothing factory made a profit of \$15,836.08 (the canning plant was

⁴⁷*Report of the Board of Corrections: State of Alabama; Financial and Statistical Report Sept. 1959–60 1960–61*, Box SG21633, pp. 8–19 and 26, Alabama Department of Corrections and Institutions Records, ADAH.

⁴⁸*Report of the Department of Corrections and Institutions: State of Alabama for the Fiscal Years Ending September 30, 1947 and 1948* (Montgomery, n.d.), 39–40.

⁴⁹Alabama Prison Study Committee, *Report of the Findings and Recommendations of the Alabama Prison Study Committee* (Montgomery, 1971), 1–2.

⁵⁰*Ibid.*, 2.

shut down that year, although the clothing factory remains open to the present day). The new prison industry of data processing made a respectable profit of \$22,989.07.⁵¹ The task represented a new form of labor: clerical, as opposed to manual. While this would appear to be an improvement, the entry of data into computers was another way of keeping the inmates productively employed in the service of the state of Alabama. The work was highly repetitive and routine. Although it would be inaccurate to describe data entry as a rehabilitative program, inmates who were assigned to data processing tasks were more likely to find decent-paying jobs after prison than those whose experience was limited to working in the clothing factory or the canning plant. By this point optimism concerning the rehabilitative role of work in the Alabama prison system was replaced by realism: the system was described by the *Board of Corrections Annual Report* for 1977–78 as

essentially self-supporting using revenues gained from agricultural and industrial operations staffed by inmates. . . . Imprisonment thus was implicitly seen as a means of punishment or retribution, during which convicts should provide their own sustenance. This tradition continues to underly [*sic*] our current correctional policies in Alabama.⁵²

Nationally, the 1970s were a time of pessimism concerning the potential of rehabilitation. In an influential 1974 study, the criminologist Robert Martinson concluded that rehabilitation did not succeed in preventing recidivism among offenders.⁵³

The clothing factory and the data processing operation (also referred to as the IBM plant) continue to be the two main industries of Tutwiler Prison through the present day. Annual reports of the

⁵¹ *Board of Corrections Annual Report: For Fiscal Year October 1, 1977 to September 30, 1978* (n.p., n.d.), 10.

⁵² *Ibid.*, 14.

⁵³ Robert Martinson, "What Works?—Questions and Answers about Prison Reform," *Public Interest* 35 (Spring 1974): 22–54.

1980s also list cosmetology and floral arranging as occupations for the inmates.⁵⁴ Male inmates in the Alabama prison system typically had a greater choice of occupations, and some of the male prison industries provide labor opportunities and training that could prove useful for finding a well-paying job for released inmates: graphic arts training, an automobile license plant, furniture plant, catfish farming, metal fabrication, and a remodeling office.⁵⁵ In comparison, Tutwiler inmates not employed in the clothing factory or data processing operation were kept busy at “meaningful jobs eight hours a day” to keep the prison itself functioning. Such jobs included working in the prison kitchen, laundry, yard, and “general cleaning.”⁵⁶

The January 1985 issue of the *Alabama Prison Project Newsletter* expressed dissatisfaction with the limited vocational options available to female prison inmates in Alabama: while women had four programs (cosmetology, clerical work, flower arranging, and sewing), men had seventeen. Perhaps reflecting the influence of feminism, the author of this article went on to complain, “Many women’s institutions pride themselves in turning out good housekeepers; the emphasis is on behaving like a ‘lady’ or looking attractive. . . . It is little wonder that these women, poor, ill-trained and unskilled, may turn to prostitution upon their release and are prone to revolving-door recidivism.”⁵⁷ In the next issue, the author suggested having female inmates work for free as apprentices to non-prisoner plumbers, electricians, and construction workers employed at the prison as one way to teach the skills needed for higher paying jobs upon release. Addressing lingering concerns over female stereotyping, the newsletter quoted a Montgomery member of the National Association for Women in Construction: “She also said that women need not worry about losing their femininity in non-traditional jobs. She advised women to feel

⁵⁴*Annual Report Department of Corrections 1980–1981* (n.p., n.d.), 16.

⁵⁵*Alabama Department of Corrections Annual Report for Fiscal Year October 1, 1981 to September 30, 1982* (n.p., n.d.), 15.

⁵⁶*Alabama Department of Corrections 1983–1984 Annual Report* (n.p., 1985), i.

⁵⁷“Vocational Programs for Women in Prison,” *Alabama Prison Project Newsletter*, January 1985, 3.

free to be themselves and consider manual labor or work dress [uniforms] just a part of the job.”⁵⁸

The Edwina Mitchell Work Release Center (named after Tutwiler’s first female warden) was established in 1989 to house inmates engaged in prison industries. In 1997 it became a separate administrative entity from the Tutwiler Prison and housed up to 250 community and minimum-custody inmates. In 2002 approximately 70 percent of the women at the work release center were community custody inmates who left prison grounds to work in Elmore and Montgomery Counties; 30 percent were minimum custody inmates.⁵⁹ Because of the fiscal and overcrowding crisis of 2003, however, the Mitchell Center was converted back into an annex of Tutwiler to house minimum custody offenders. The work release operation was transferred to the Birmingham Work Release facility that had been established in 1973 to house female inmates. As a result of the transfer of inmates from the Mitchell Center, the Birmingham facility from 2003 onward has operated with 312 inmates housed in a building designed for 150.⁶⁰

Although the connection between rehabilitation and the jobs available to Tutwiler inmates is not very strong, the prison administration has at various points made other attempts to address inmate rehabilitation. A photograph in the 1944 annual report showing several white women knitting is labeled “Needlecraft is taught many women prisoners for both practical educational and recreational purposes.”⁶¹ Religious activities were a traditional form of rehabilitation dating back to the introduction of imprisonment as punishment. The

⁵⁸“Vocational Training for Women in Prison,” *Alabama Prison Project Newsletter*, April 1985, 1.

⁵⁹*Alabama Department of Corrections Annual Report 2002* (n.p., n.d.), 20.

⁶⁰*Alabama Department of Corrections Annual Report Fiscal Year 2003*, 18, available online at <http://www.doc.alabama.gov/docs/AnnualRpts/2003AnnualReport.pdf>; *Alabama Department of Corrections Annual Report Fiscal Year 2004*, 18, available online at <http://www.doc.state.al.us/docs/AnnualRpts/2004AnnualReport.pdf>; *Alabama Department of Corrections Annual Report Fiscal Year 2005*, 18, available online at <http://www.doc.alabama.gov/docs/AnnualRpts/2005AnnualReport.pdf>.

⁶¹*Report of the Alabama Department of Corrections and Institutions Fiscal Year Ending September 30, 1944* (n.p., n.d.), 12.

Reverend W. H. Swearingen, State Prison Chaplain, included religious and recreational activities in a 1948 report to Gov. Jim Folsom, and spoke of religious revivals being held twice a year in each of the major prisons. Unlike most activities, "No difference is made between the white and colored inmates in arranging religious programs."⁶² Other recreational activities included weekly movies and sports. Swearingen claimed there was a direct connection between rehabilitation and "good, clean sports."⁶³ While religious programs were evidently integrated, other recreational and rehabilitative activities at Tutwiler remained segregated in the 1950s. There was a recreational center for "negro prisoners" but none for "white women" as of 1954.⁶⁴ In that year the Tutwiler prison population consisted of three white males, six "colored" males, thirty-four white females, and 148 "colored" females.⁶⁵ No explanation for the presence of male inmates is supplied in the available sources. Perhaps they were aged, infirm, or youthful offenders, and perhaps they were housed in Tutwiler due to a lack of available space at one of the male prisons.

In the 1950s, at least, Tutwiler was a rather progressive institution in regard to providing education for its inmates compared to most male prisons, especially when one considers the much smaller size of the female prison population as compared to the male. As of 1954 there was one "school for illiterates," located in Draper, for the whole male prison system of Alabama. The only option for male state prisoners not located at Draper was correspondence courses. Female inmates had access to "a school for illiterates, taught by a prisoner at Tutwiler Prison"—access that was needed.⁶⁶ Although statistics on educational attainment were not listed until the 1960s, it is likely the prison inmates of the 1940s and 1950s also suffered from a poor educational background (see Table 1).

⁶²*Department of Corrections and Institutions Supplementary Report Fiscal Year October 1, 1947–September 30, 1948 Submitted to: Hon. James E. Folsom Governor of Alabama October 15, 1948* (n.p., n.d.), 6–7.

⁶³*Ibid.*, 8; *Report of the Department of Corrections and Institutions, State of Alabama for the Fiscal Year Ending Sept. 30, 1949 and 1950* (Wetumpka, 1951), 15.

⁶⁴*Report of the Board of Corrections State of Alabama: Quadrennial Report 1951–1954, Statistical Report 1953–1954*, 6.

⁶⁵*Ibid.*, 47.

⁶⁶*Ibid.*, 17.

Table 1
Alabama Department of Corrections Female Prison Population: Educational Attainment 1942–2005

Decade	None	Grades 1–4	Grades 5–8	Grades 9–12	Some College	College Graduate	MA	Unknown	Illiterate	Total
1942–49	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
1950–59	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
1960–69										
Number	N/A	124	292	437	22	N/A	N/A	54	3	932
Percent	N/A	13.30%	31.33%	46.89%	2.56%	N/A	N/A	5.79%	0.32%	100%
1970–79										
Number	N/A	32	156	382	29	N/A	N/A	10	N/A	609
Percent	N/A	5.25%	25.62%	62.73%	4.76%	N/A	N/A	1.64%	N/A	100%
1980–89	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
1990–99										
Number	389	13	748	4,269	1,138	18	5	N/A	N/A	6,580
Percent	5.9%	0.20%	11.37%	64.88%	17.29%	0.27%	0.08%	N/A	N/A	100%
2000–05										
Number	1,160	17	869	5,729	1,377	28	5*	N/A	N/A	9,185
Percent	12.63%	0.19%	9.46%	62.37%	14.99%	0.30%	0.05%	N/A	N/A	100%

* This number includes one PhD in 2005.

Source: *Alabama Department of Corrections Annual Reports* (title varies), 1942–2005. N/A indicates missing data or reports; for 1950–59, only 1950 and 1954 are available; 1976 is not available. Data is not listed in the 1979–89, 1996, and 2002 reports.

Education and rehabilitation appears to have seriously suffered from a lack of funding throughout the 1960s and 1970s, however, despite the good intentions expressed in earlier decades. The annual reports from this era provide almost no narrative information, but they do provide a wealth of statistics. A major component of these reports is a section called the schedule of prisoner maintenance consisting of costs associated with housing the prisoners, such as clothing, food, etc. This section varies over time in terms of completeness and level of detail. Using the schedule of prisoner maintenance, it is possible to determine exactly how much was being spent on rehabilitation and educational supplies at Tutwiler. The funding of supplies does not, of course, fully inform us of the actual expenditure of time and money on rehabilitation or education *programs* may still be conducted without supplies. Nonetheless, it can at least suggest something about the priority of rehabilitation and education at the institution.

It appears that funding for rehabilitation and education supplies was minimal and the amounts spent did not normally fluctuate. It was less than 1 percent for the period 1954–80 (see Table 2). Spending on rehabilitation dramatically increased in 1977, most likely as a result of U.S. District Court Judge Frank M. Johnson Jr.'s January 13, 1976, declaration in *James v. Wallace* that the entire Alabama state prison system was unconstitutional.⁶⁷ Instead of the usual couple of hundred dollars a year, spending in this category skyrocketed to \$9,492.88, or 3.98 percent of Tutwiler's total annual prisoner maintenance expenditure (\$239,520.09), for 1977.⁶⁸ Over the next few of years Tutwiler's total annual prisoner maintenance expenditure leaped to over \$1,000,000 per year while expenditure on rehabilitation and education declined to around \$4,000 per year—or back down to approximately 0.3 percent of the total expenditure—but this amount is still significantly larger than that spent in earlier years. Unfortunately, information on such expenditures is not listed in annual reports after 1980.

⁶⁷ *James v. Wallace*, 406 F. Supp. 318 (M.D. Ala. 1976).

⁶⁸ *Financial and Statistical Statement: Board of Corrections, October 1, 1976–September 30, 1977* (n.p., 1978), 5.

Table 2
**Annual Prisoner Maintenance Expenditure on Rehabilitation/
 Education Supplies: Julia Tutwiler Prison, 1954–80**

Year	Rehabilitation/ Education Amount (\$)	Rehabilitation/ Education Percent of Total Expenditure	Total Amount of Expenditure (\$)
1954	\$0.00	0.00%	\$209,508.23
1961	\$191.24	0.08%	\$233,159.20
1962	\$271.38	0.11%	\$247,236.99
1963	\$105.00	0.04%	\$241,348.37
1964	\$201.25	0.08%	\$246,196.22
1965	\$35.00	N/A	N/A
1966	\$115.50	0.04%	\$257,494.13
1967	\$157.00	0.06%	\$265,552.59
1968	\$206.50	0.08%	\$246,397.80
1969	\$407.75	0.15%	\$273,424.00
1970	\$383.50	0.13%	\$299,302.31
1971	\$240.00	0.08%	\$291,009.80
1972	\$258.00	0.08%	\$308,783.11
1973	\$438.31	0.15%	\$302,137.60
1974	\$197.50	0.05%	\$377,409.71
1975	N/A	N/A	\$402,336.92
1977	\$9,497.88	3.97%	\$239,520.09
1978	\$3,785.07	0.36%	\$1,046,355.58
1979	\$4,487.73	0.31%	\$1,460,682.27
1980	\$0.00	0.00%	\$1,770,331.73

Source: *Alabama Department of Corrections Annual Reports* (title varies), 1954–80. Only one report from the 1950s, 1954, supplies expenditure data.

Through a 1973 agreement with Alexander City Junior College, Tutwiler inmates had access to a junior college-level education. This was followed by a vocational and technical education curriculum offered by J. F. Ingram State College in Deatsville. By 1983, ninety-four inmates per day were attending classes in the stereotypically feminine areas of floral design, cosmetology, sewing, and clerical work.⁶⁹ As a result of lawsuits filed on behalf of the inmates at Tutwiler, five years later more potentially lucrative (and traditionally masculine) training was offered by Ingram State: office machine repair, communication electronics, building trades, automotive specialties, welding, and “quantity food” training.⁷⁰ As Department of Corrections Commissioner Freddie V. Smith observed to Gov. George Wallace, the period of 1983–86 was “a particularly progressive and productive one for the Alabama Department of Corrections” because in 1983 “the Department came into full compliance with [Judge Johnson’s] order.”⁷¹

Part of the difficulty in implementing successful job training programs in female prisons is that inmates themselves often have a traditional concept of female roles.⁷² For example, in 1989 inmates participated in the ninth annual Miss Tutwiler pageant, described as “one of the largest and most successful Tutwiler events of the year.” The theme for 1989 was “Jailhouse Rock.”⁷³ Although the vast majority of Tutwiler inmates have come from an educationally and socially deprived background, the fact that at least some inmates complained

⁶⁹ *Alabama Department of Corrections 1983–1984 Annual Report* (n.p., 1985), 54.

⁷⁰ *Alabama Department of Corrections Annual Report 1988* (n.p., n.d.), 30. See also “Suit Filed for Tutwiler Women,” *Alabama Prison Project Newsletter*, August 1986, 1; “Justice Department Sues for Women Prisoners,” *APP News: A Quarterly Publication of the Alabama Prison Project*, Spring 1987, 3.

⁷¹ Nace Fresco, ed., *1986 Annual Report of the Alabama Department of Corrections*, Congressional Information Service (CIS) Statistical Reference Index (SRI) microfiche, SRI 87 S0115-1, p. v.

⁷² For example, interviews with female prisoners in Hawaii revealed that 93 percent of the inmates wanted to be married. These inmates aspired to be rich and to work as nurses or secretaries. Meda Chesney-Lind and Noelle Rodriguez, “Women under Lock and Key: A View from the Inside,” *Prison Journal* 63 (Autumn–Winter 1983): 58. See also Clarice Feinman, “An Historical Overview of the Treatment of Incarcerated Women: Myths and Realities of Rehabilitation,” *Prison Journal* 63 (Autumn–Winter 1983): 21.

⁷³ *Corrections News*, June 1989, 7; *Corrections News*, March 1989, 7; *Alabama Department of Corrections 1983–1984 Annual Report*, 54.

through the *Alabama Prison Project* newsletter about the inadequacy of vocational and rehabilitation programs available to women suggests that the power of traditional concepts of female roles in this population started to weaken in the 1980s.

In addition to educational programs, the Department of Corrections implemented several other rehabilitative programs during the 1980s and 1990s. These focused on personal development rather than vocational training and were designed to counteract some of the destructive personal characteristics typically found among prison inmates. For example, the 1986 annual report describes "common needs" classes on dealing with depression, anger, stress management, values clarification, and self-concept.⁷⁴ In 1988 the New Beginnings group program was introduced. It was a weekly program covering such topics as self esteem, substance abuse, and "female-type problems."⁷⁵ Recent annual reports describe the provision of counseling and programs on domestic violence, anger and stress management, survival of sexual abuse, "grief groups," and parenting groups, among others.⁷⁶

One important area in which Tutwiler has had some success in recent years is in maintaining contact between inmates and their children. Most female inmates in the United States are single mothers and, unlike most male prison inmates, most bear the responsibility for their children's welfare.⁷⁷ Consequently, the prison experience tends to be particularly difficult for female prisoners with children since the prisoners feel guilt and depression.⁷⁸ According to the "Sisters Inside" column of the *Alabama Prison Project Newsletter*, at least 80 percent of Tutwiler's inmates are mothers.⁷⁹ One of the most successful

⁷⁴Fresco, *1986 Annual Report*, 26.

⁷⁵*Alabama Department of Corrections Annual Report 1988*, 30.

⁷⁶See, for example, *Alabama Department of Corrections Annual Report 2002*, 43; *Alabama Department of Corrections Annual Report 2003*, 45; *Alabama Department of Corrections Annual Report Fiscal Year 2004*, 47; *Alabama Department of Corrections Annual Report Fiscal Year 2005*, 47.

⁷⁷Nicole H. Rafter and Debra L. Stanley, *Prisons in America: A Reference Handbook* (Denver, 1999), 42–43; Pollock-Byrne, *Women, Prison, & Crime*, 63; L. Mara Dodge, "Whores and Thieves of the Worst Kind": A Study of Women, Crime, and Prisons, 1835–2000 (Dekalb, Ill., 2002), 259.

⁷⁸Pollock-Byrne, *Women, Prisons, & Crime*, 64, 143.

⁷⁹"Sisters Inside," *Alabama Prison Project Newsletter*, June/July 1983, 5; "Sisters Inside," *Alabama Prison Project Newsletter*, April 1984, 4.

programs is Aid to Inmate Mothers (AIM), introduced in 1986 as Aid for Incarcerated Mothers and continuing through the present. The main purpose of AIM is to provide transportation for the children of Tutwiler inmates to visit their mothers. Since 2000 AIM has also offered programs such as Project Reconnect that, as of 2004, had helped approximately three hundred ex-convicts locate employment and affordable housing.⁸⁰

In order to better understand what life in the Julia Tutwiler Prison for Women has been like, we need to develop a picture of the inmates of this prison. Who were these women? Has this population changed significantly over the past sixty-plus years? What crimes did they commit, and how for long were they sentenced? Despite some major gaps, the annual reports of the Department of Corrections provide a lot of useful statistical information such as race, age, educational status, marital status, sentences, and, for the decade covering 1967–77, occupation prior to conviction.

Until the mid-2000s African American women comprised the majority of Tutwiler's inmates, but as a proportion their presence has been steadily declining, whereas the proportion of white women has been steadily increasing since the 1960s (see Tables 3a–3b). Alabama's use of nomenclature for African American women has lagged behind nationally accepted terminology: they were listed as colored from 1942 to 1977 and then as Negro through 1982 before being designated as black until 2002. Since then the term African American has been used in the statistical reports. Starting in 1979, the racial category of "other" has been also employed, but in both actual numbers and as a percentage of the prison population, the presence of these "other" women has been negligible. The changing racial proportions suggest that, to some extent, criminal justice as applied to females in Alabama is becoming somewhat fairer. One factor that may account for this growing racial parity could be the large influx of female convicts in general. Perhaps there are other factors, such as the types of crimes for which women are being sent to prison in Alabama. Due to a variety of circumstances, it may be the case that white women are

⁸⁰ *The Volunteer* [an irregularly published newsletter of AIM], May [?] 2004, 4.

Table 3a
Julia Tutwiler Prison Female Population: Race and Sex

Decade	Black Female Population	Black Female Percent	White Female Population	White Female Percent	Other Female Population	Other Female Percent	Total Number	Total Percent
1942-49	1,499	72.59%	379	18.35%	N/A	N/A	1,878	90.92%
1950-59	286	68.10%	82	19.52%	N/A	N/A	368	87.53%
1960-69	1,143	68.48%	437	26.18%	N/A	N/A	1,580	94.66%
1970-79	1,093	67.55%	524	32.39%	1	0.00%	1,618	100%
1980-89	2,437	62.10%	1,471	37.49%	16	0.40%	3,924	100%
1990-99	6,936	61.05%	4,404	38.76%	22	0.19%	11,362	100%
2000-07	6,943	45.69%	8,244	52.25%	10	0.07%	15,197	100%

Source: *Alabama Department of Corrections Annual Reports* (title varies), 1942-2007. Not all data are available: for 1950-59, only 1950 and 1954 are available; 1976, 1985, 1989, and 1994 are also unavailable. Starting with the 2002 annual report, the following racial categories have been added: American Indian, Asian, and Unknown. They have been included under “Other” in this table as their numbers are so small.

Table 3b
Julia Tutwiler Prison Male Population: Race and Sex

Decade	Black Male Population	Black Male Percent	White Male Population	White Male Percent	Total Number	Total Percent
1942–49	142	6.88%	45	2.18%	187	9.06%
1950–59	48	11.43%	4	1.24%	52	12.67%
1960–69	66	3.96%	23	1.41%	89	5.37%
1970–79	N/A	N/A	N/A	N/A	N/A	N/A
1980–89	N/A	N/A	N/A	N/A	N/A	N/A
1990–99	N/A	N/A	N/A	N/A	N/A	N/A
2000–07	N/A	N/A	N/A	N/A	N/A	N/A

Source: *Alabama Department of Corrections Annual Reports* (title varies), 1942–2007. Not all data are available: for 1950–59, only 1950 and 1954 are available; 1976, 1985, 1989, and 1994 are also unavailable.

increasingly likely to be involved in certain forms of crime that black women are not usually involved in or for which black women are not as likely to be convicted.

The changing racial population of the prison does not neatly correlate to the changing racial population of the broader society, although there may be some connections. Considering Alabama’s female population age fifteen and over for the period 1940–2000, African Americans declined from nearly 35 percent in 1940 to 28 percent in 1960 and have stayed in the vicinity of 25 percent in the decades since (see Table 4). The percentage of African American women at Tutwiler has declined from over 72 percent in the 1940s to just under 46 percent in the 2000s. The percentage of white females has increased from around 67 percent of the female population of Alabama in 1940 to nearly 72 percent in 2000 (following a spike to 79.50 percent in 1990). As a percentage of the inmates at Tutwiler,

Table 4
Female Population of Alabama Age Fifteen and Over by Race, 1940–2000

Year	Black Number	Black Percent	White Number	White Percent	Other Number	Other Percent	Total Number	Total Percent
1940	341,322	34.17%	657,648	65.83%	N/A	N/A	998,970	100%
1950	333,898	31.34%	731,653	68.66%	N/A	N/A	1,065,551	100%
1960	318,874	28.26%	809,587	71.74%	N/A	N/A	1,128,461	100%
1970	318,009	24.80%	960,927	75.00%	2,682	0.20%	1,281,618	100%
1980	384,912	24.63%	1,168,220	74.76%	9,414	0.61%	1,562,546	100%
1990	410,741	24.50%	1,248,833	79.50%	16,701	1.00%	1,676,275	100%
2000	473,010	25.62%	1,328,176	71.93%	45,290	2.45%	1,846,476	100%

Source: U.S. Census Bureau, *Census of Population and Housing, 1940–2000* (Washington, D.C.).

white women have dramatically increased from just over 18 percent in the 1940s to just over 52 percent in the 2000s (see Tables 3a–3b, pp. 267–68). Following national trends, black women are still over-represented in the Tutwiler Prison population. Using data gathered from the Capital Jury Project, a national study of jury discretion in death penalty cases, Benjamin Fleury-Steiner has found that in cases involving African American defendants the typically all-white jury members employ a complex set of narratives that identify blacks as inferior and thus deserving of the death penalty.⁸¹ Fleury-Steiner finds that contemporary criminal justice system racism is a function of the dominant group's (white's) normative expectations of poor blacks as dangerous, lawless, or immoral.⁸² While Fleury-Steiner's focus is on the death penalty, his findings are likely applicable to the criminal justice system in general, including Alabama's.

A number of scholars have regarded imprisonment to be a method of social control used by the upper and middle classes to maintain dominance over the lower classes. According to Michel Foucault and Michael Ignatieff, the emergence of prison as the primary form of punishment in eighteenth- and nineteenth-century Europe was a direct response to the development of the Industrial Revolution: imprisonment of lower class offenders could be used to mold this population into the docile, regimented workforce needed in factories.⁸³ Taking this perspective into a more contemporary setting, Jonathan Simon regards the use of parole to be an increasingly problematical method of controlling the lower classes, especially since the emergence of a permanent underclass consisting mostly of young black males in the 1980s.⁸⁴ Tutwiler's population consists largely of young black females who could be considered to be part of this underclass.

⁸¹Benjamin Fleury-Steiner, "Narratives of the Death Sentence: Toward a Theory of Legal Narratives," *Law and Society Review* 36 (2002): 552, 573.

⁸²Benjamin Fleury-Steiner, *Jurors' Stories of Death: How America's Death Penalty Invests in Inequality* (Ann Arbor, Mich., 2004), 4.

⁸³See Michel Foucault, *Discipline and Punish: The Birth of the Prison*, trans. Alan Sheridan (New York, 1977), and Michael Ignatieff, *A Just Measure of Pain: The Penitentiary in the Industrial Revolution, 1750–1850* (New York, 1978).

⁸⁴Jonathan Simon, *Poor Discipline: Parole and the Social Control of the Underclass, 1890–1990* (Chicago, 1993), 5.

Simon concludes that “the great commodity of our time” is security and that the penal system is the country’s major form of investment in security. Consequently, there has been unprecedented growth of the prison population. Making a rather shocking analogy, Simon compares this investment in the prison system to waste management, with the underclass being analogous to toxic waste.⁸⁵ Whether serving as a method of social control over a mostly lower class minority and youthful population or as a method of containing social “toxic waste,” the prison experience is likely to be uncomfortable at best. The difficulty of the experience certainly is a reflection of whether a society employs imprisonment for rehabilitation of the inmates or simply for warehousing them.

Not surprisingly, most of the female prison population in Alabama has consisted of women in their twenties and thirties. Age data are consistently available only from 1963 onward, but this age distribution has not changed much over recent decades (see Tables 5a–5c, pp. 272–74) although the proportion of older inmates exhibits a steady increase from the 1970s onward. This change reflects a national trend: thanks to harsher sentencing laws, especially for drug-related offenses, the prison population is both larger and older than ever before.⁸⁶ Generally speaking, women over sixty have been a rarity in Tutwiler; the first such listing is for a sixty-four-year-old black female in 1971.⁸⁷ Even with a wider age distribution in recent decades, there is a noticeable drop-off after the 36–40 age group. Starting in the 2000s the big drop-off occurs after the 41–45 age group. There are always exceptions; the 2002 *Alabama Department of Corrections Annual Report* indicates that a ninety-four-year-old inmate was received into custody that year.⁸⁸

An analysis of educational attainment reveals that from the 1960s onward the population of Tutwiler is more highly educated. The greatest change occurred between the 1960s and the 1970s, with a

⁸⁵Ibid., 258–59.

⁸⁶Banks, *Women in Prison*, 72.

⁸⁷*Report of the Board of Corrections State of Alabama: Financial and Statistical Report 1970–71* (n.p., n.d.), 40.

⁸⁸*Alabama Department of Corrections: Annual Report 2002*, 95.

Table 5a
Alabama Department of Corrections (ADC) Female Prison Population:
Age Group and Race, 1950–69

Decade & Race	Age 15–20	Age 21–25	Age 26–30	Age 31–35	Age 36–40	Age 41–45	Age 46–50	Age 51–55	Age 56–60	Age 61–64	Age Un- known	Total
1950– 59*												
Black	30	46	35	25	12	11	5	3	2	0	1	170
White	8	8	7	13	8	9	3	2	0	0	0	58
Total	38	54	42	38	20	20	8	5	2	0	1	228
%	16.67%	23.68%	18.42%	16.67%	8.77%	8.77%	3.51%	2.19%	0.88%	0.00%	0.44%	100%
1960– 69												
Black	122	186	175	181	154	113	64	12	19	9	7	1,042
White	69	93	61	62	72	75	12	11	1	3	2	461
Total	191	279	236	243	226	188	76	23	20	12	9	1,503
%	12.71%	18.56%	15.70%	16.17%	15.04%	12.51%	5.06%	1.53%	1.33%	0.80%	0.60%	100%

*Only 1950 and 1954 reports are available; 1950 lacks age data.
Source: *Alabama Department of Corrections Annual Reports* (title varies), 1950–69. Age data for 1942–49 are not available; there were no listings for inmates age sixty-five and older.

Table 5b
ADC Female Prison Population: Age Group and Race, 1970-89

Decade & Race	Age 15-20	Age 21-25	Age 26-30	Age 31-35	Age 36-40	Age 41-45	Age 46-50	Age 51-55	Age 56-60	Age 61-64	Age 65+	Age Un- known	Total
1970- 79													
Black	112	200	133	77	70	49	44	14	9	2	0	0	710
White	43	84	66	47	45	18	11	11	8	0	5	0	338
Total	155	284	199	124	115	67	55	25	17	2	5	0	1,048
%	14.79%	27.10%	18.99%	11.83%	10.97%	6.39%	5.25%	2.39%	1.62%	0.19%	0.48%	0.00%	100%
1980- 89													
Black	126	591	678	488	300	104	49	36	21	6	8	0	2,407
White	87	351	301	270	209	123	72	44	28	4	2	1	1,492
Other	0	6	3	1	1	0	0	3	0	0	0	0	14
Total	213	948	982	759	510	227	121	83	49	10	10	1	3,913
%	5.44%	24.23%	25.10%	19.40%	13.03%	5.80%	3.09%	2.12%	1.25%	0.26%	0.26%	0.03%	100%

Source: Alabama Department of Corrections Annual Reports (title varies), 1970-89. Data missing for 1976, 1985, and 1989.

Table 5c
ADC Female Prison Population: Age Group and Race, 1990–2007

Decade & Race	Age 15–20	Age 21–25	Age 26–30	Age 31–35	Age 36–40	Age 41–45	Age 46–50	Age 51–55	Age 56–60	Age 61–64	Age 65+	Age Un- known	Total
1990– 99													
Black	181	821	1,325	1,339	982	568	266	94	44	21	9	0	5,650
White	91	443	724	763	642	370	241	123	53	16	29	4	3,499
Other	1	1	2	4	1	2	0	0	0	0	0	0	11
Total	273	1,265	2,051	2,106	1,625	940	507	217	97	37	38	4	9,160
%	2.98%	13.81%	22.39%	22.99%	17.74%	10.26%	5.53%	2.37%	1.06%	0.40%	0.41%	0.04%	100%
2000– 07													
Black	116	868	1,226	1,309	1,225	1,051	671	305	86	26	21	0	6,904
White	91	852	1,415	1,551	1,685	1,294	726	314	191	50	74	0	8,243
Other	0	4	5	1	0	2	2	0	0	0	0	0	14
Total	207	1,724	2,646	2,861	2,910	2,347	1,399	619	277	76	95	0	15,161
%	1.37%	11.37%	17.45%	18.87%	19.19%	15.48%	9.22%	4.08%	1.83%	0.50%	0.63%	0.00%	100%

Source: Alabama Department of Corrections Annual Reports (title varies), 1990–2007. Data missing for 1994.

large decrease of inmates possessing only an elementary or junior high school level of educational attainment (see Table 1, p. 261). Correspondingly, there was an increase in inmates with at least some level of high school education, although they were not necessarily high school graduates. The most noticeable drop-off occurs between women attaining some level of high school education and those attaining some level of college education. In this regard, Tutwiler is not unusual. Whether male or female, the typical prison inmate tends to be someone with a relatively low level of education. The 1949 Prison Investigation Report commissioned by the Alabama legislature recommended that a special effort be made to bring illiterate inmates up to at least a fourth grade reading level, as had been done by the U.S. Army for 500,000 men in World War I.⁸⁹

It is not possible to compare every aspect of educational attainment of Alabama's general female population (ages twenty-five and over) with that of Tutwiler's inmates (ages sixteen and over) for the years 1940–2000 (see Tables 1, p. 261, and 6a–6b, pp. 276–77). However, the general female population continues to exhibit higher levels of educational attainment than the prison population. This is most starkly revealed in the present decade, in which 12.63 percent of inmates are reported to have no education versus only 1.13 percent of the general female population of Alabama. Portions of both populations include individuals with some high school or college education (although it is not indicated in most cases whether “some” high school education or “some” college education actually resulted in graduation). Again, statistics for the most recent decade provide a dramatic contrast: only 0.35 percent of the inmates are reported as being college graduates versus 17.28 percent of the general female population of Alabama. In 2005 Tutwiler received its first inmate known to hold a PhD, a black female.

Unfortunately, the Department of Corrections annual reports provide occupational status of inmates only for the years 1967–77, so any

⁸⁹ *Report and Recommendations of the Prison Investigation Committee* (Montgomery, 1949), 26. According to a 1988 American Correctional Association nationwide study, only 39 percent of female offenders possessed a high school diploma. See Pollock-Byrne, *Women, Prison, & Crime*, 57–58.

Table 6a
Educational Attainment of the Female Population of Alabama Age Twenty-five and Over, 1940-70

Census Year	None	Grades 1-4	Grades 5-8	Grades 9-12	High School Grad.	Some College	College Grad.	MA	PhD	Profes- sional Degree	Un- known	Total
1940												
Number	41,205	139,575	289,442	159,302	N/A	51,859	N/A	N/A	N/A	N/A	8,743	690,126
Percent	5.97%	20.22%	41.94%	23.08%	N/A	7.51%	N/A	N/A	N/A	N/A	1.26%	100%
1950												
Number	30,530	131,945	306,970	252,750	N/A	71,945	N/A	N/A	N/A	N/A	15,370	809,510
Percent	3.77%	16.30%	37.92%	31.22%	N/A	8.90%	N/A	N/A	N/A	N/A	1.90%	100%
1960												
Number	25,257	98,443	294,269	368,220	N/A	94,232	N/A	N/A	N/A	N/A	N/A	880,421
Percent	2.87%	11.18%	33.42%	41.82%	N/A	10.70%	N/A	N/A	N/A	N/A	N/A	100%
1970												
Number	19,677	68,839	253,570	495,972	N/A	133,629	N/A	N/A	N/A	N/A	N/A	971,687
Percent	2.03%	7.10%	26.10%	51.04%	N/A	13.75%	N/A	N/A	N/A	N/A	N/A	100%

Source: U.S. Census Bureau, *Census of Population and Housing: Social and Economic Characteristics* (title varies), 1940-70.

Table 6b
Educational Attainment of the Female Population of Alabama Age Twenty-five and Over, 1980–2000

Census Year	None	Grades 1–4	Grades 5–8	Grades 9–12	High School Grad.	Some College	College Grad.	MA	PhD	Professional Degree	Unknown	Total
1980												
Number	12,726	51,303	225,470	649,376	N/A	254,741	N/A	N/A	N/A	N/A	N/A	1,193,616
Percent	1.07%	4.35%	18.90%	54.40%	N/A	21.34%	N/A	N/A	N/A	N/A	N/A	100%
1990												
Number	N/A	42,565	142,312	280,800	423,031	223,843	192,567	52,639	3,446	7,671	N/A	1,368,874
Percent	N/A	3.12%	10.40%	20.51%	30.90%	16.35%	14.07%	3.85%	0.25%	0.56%	N/A	100%
2000												
Number	17,330	10,995	97,197	252,009	474,710	317,830	265,015	78,288	6,381	14,291	N/A	1,534,046
Percent	1.13%	0.72%	6.34%	16.43%	30.94%	20.72%	17.28%	5.10%	0.42%	0.93%	N/A	100%

Source: U.S. Census Bureau, *Census of Population and Housing: Social and Economic Characteristics* (title varies), 1980–2000.

broad generalizations about the period 1942–2007 need to be made with caution. The occupations listed in the reports can be placed into the following basic categories: white collar/professional, skilled blue collar/manual, and unskilled blue collar/manual (see Table 7). Considering that the typical Tutwiler inmate had a relatively low educational attainment, it is no surprise to discover that most of their reported occupations fall under the category of unskilled blue collar/manual. The most common include housework, laborer, maid, waitress, laundry work, and cook. The relatively few skilled blue collar/manual occupations include some traditionally associated with males, such as machinist, bricklayer/mason, and welder. The most common white collar/professional occupation was “clerk/clerical,” and there were smaller numbers of nurses, secretaries or stenographers, and several listed as “salesman.” Most inmates fell into the unskilled blue collar/manual category and a significant number into white collar/professional. Such a distribution is likely due to two main factors: low educational attainment for most inmates and career opportunities traditionally available to women. Unfortunately, the data are not available to see if these percentages would have changed to reflect the major changes in American women’s participation in the workforce in more recent decades.

According to marital status information available from 1964 onward, there has been a large increase in single (never married) inmates since the 1980s (see Tables 8a–8c, pp. 280–82). In the 1960s and 1970s the percentages of single versus married inmates was similar, approximately 25 percent of the total population each. There was a radical change in the 1980s, with 71.79 percent listed as single versus only 10.59 percent as married; for the 1990s and 2000s the proportion has been approximately 50 percent single versus approximately 16 percent married. Separated, divorced, and widowed inmates have made up a varying portion of the female prison population, sometimes as high as 20.17 percent (divorced women in the 2000s). It is hard to draw any firm conclusions from these numbers, but there does seem to be at least some connection between a stable domestic life and a low participation in crime.⁹⁰ The “Sisters Inside” column

⁹⁰A number of recent studies indicate that the typical female prison inmate is not married.

Table 7
ADC Female Prison Population: Occupational Status Prior to
Conviction, 1967–77

Decade & Race	White Collar/ Professional	Skilled Blue Collar/ Manual	Unskilled Blue Collar/ Manual	Unknown/ Unem- ployed	Total
1960–69					
Black	17	1	210	3	231
White	28	0	45	0	73
Total	45	1	255	3	304
Percent	14.80%	0.33%	83.88%	0.99%	100%
1970–79					
Black	82	31	406	35	554
White	81	20	135	3	239
Total	163	51	541	38	793
Percent	20.55%	6.43%	68.22%	4.79%	100%

Source: *Alabama Department of Corrections Annual Reports* (title varies), 1967–77. Data missing for 1960–66, 1976, and 1978–79.

of the June/July 1983 issue of the *Alabama Prison Project Newsletter* described the 290-woman population of Tutwiler as mostly young, black, uneducated, and unskilled, with 80 percent of them being mothers as well. A 1988 American Correctional Association nationwide survey of female offenders determined that 80 percent of them had at least one child. Fifteen years later, sociologist Candace Kruttschnitt and

For example, the 1988 American Correctional Association nationwide study indicates that 36.5 percent were never married, 33.8 percent were divorced or separated, and only 21.6 percent were married. See Pollock-Byrne, *Women, Prison, & Crime*, 57–58. A nationwide survey made by the U.S. Census Bureau in 1979 of state correctional inmates indicates that 36 percent were never married and 33.17 percent were separated or divorced. See Ann Goetting and Roy M. Howsen, “Women in Prison: A Profile,” *Prison Journal* 63 (Autumn–Winter 1983): 29. In 2003 sociologist Candace Kruttschnitt and criminologist Rosemary Gartner stated that in the United States, “nearly half of the women in prison have never been married”; Kruttschnitt and Gartner, “Women’s Imprisonment,” 19.

Table 8a
ADC Female Prison Population: Marital Status, 1960–79

Decade & Race	Single	Married	Common Law	Separated	Divorced	Divorced & Remarried	Widowed	Widowed & Remarried	Unknown	Total
1960–69										
Black	192	115	N/A	129	44	N/A	93	N/A	20	593
White	26	75	N/A	29	33	N/A	21	N/A	7	191
Total	218	190	N/A	158	77	N/A	114	N/A	27	784
Percent	27.81%	24.23%	N/A	20.15%	9.82%	N/A	14.54%	N/A	3.44%	100%
1970–79										
Black	178	129	N/A	109	46	N/A	91	N/A	5	558
White	12	76	N/A	30	71	N/A	54	N/A	3	246
Total	190	205	N/A	139	117	N/A	145	N/A	8	804
Percent	23.63%	25.50%	N/A	17.29%	14.55%	N/A	18.03%	N/A	1.00%	100%

Source: Alabama Department of Corrections Annual Reports (title varies), 1960–79. Data missing for 1960–63, 1976, and 1978–79.

Table 8b
ADC Female Prison Population: Marital Status, 1980-99

Decade & Race	Single	Married	Common Law	Separated	Divorced	Divorced & Remarried	Widowed	Widowed & Remarried	Unknown	Total
1980-89										
Black	1,284	135	37	69	91	4	32	N/A	9	1,661
White	639	146	14	26	154	4	24	N/A	10	1,017
Other	9	4	0	0	0	0	0	N/A	0	13
Total	1,932	285	51	95	245	8	56	N/A	19	2,691
Percent	71.79%	10.59%	1.90%	3.53%	9.10%	0.30%	2.08%	N/A	0.71%	100%
1970-79										
Black	3,009	580	163	272	550	37	169	0	20	4,800
White	1,267	694	120	106	748	68	143	6	15	3,167
Other	8	4	0	1	0	0	0	0	0	13
Total	4,284	1,278	283	379	1,298	105	312	6	35	7,980
Percent	53.68%	16.02%	3.55%	4.75%	16.27%	1.32%	3.91%	0.08%	0.44%	100%

Source: Alabama Department of Corrections Annual Reports (title varies), 1980-99. Data missing for 1983-84, 1988-89, and 1994.

Table 8c
ADC Female Prison Population: Marital Status, 2000–07

Decade & Race	Single	Married	Common Law	Separated	Divorced	Divorced & Remarried	Widowed	Widowed & Remarried	Unknown	Total
2000–07										
Black	4,211	837	197	341	836	34	234	4	6	6,700
White	3,021	1,599	219	436	2,130	75	445	6	71	8,002
Other	7	3	0	0	1	0	0	0	0	11
Total	7,239	2,439	416	777	2,967	109	679	10	77	14,713
Percent	49.20%	16.58%	2.83%	5.26%	20.17%	0.74%	4.41%	0.07%	0.52%	100%

Source: Alabama Department of Corrections Annual Reports (title varies), 2000–07.

criminologist Rosemary Gartner reported that 70 percent of women in prison nationally have children under age eighteen.⁹¹

Generally speaking, the typical inmate at Tutwiler has changed over the past six decades: she is now older, better-educated, more likely to be white, and more likely to be single, separated, or divorced than her predecessors. Not enough data are available to make any firm conclusions regarding occupational status, but she is more likely to be blue collar/unskilled than not.

The available data strongly suggest some major changes in female criminality in Alabama in recent decades. From at least the 1960s onward, the proportion of Alabama's female inmates incarcerated for violent crimes declined by over 50 percent while the proportion incarcerated for moral crimes (primarily drug-related) has skyrocketed from 2.03 percent to 29.59 percent (see Tables 9a–9b, pp. 284–85). The proportion of the state's female inmates convicted of property crimes has remained fairly constant between 40 and 50 percent of the total. Regrettably, the Department of Corrections annual reports of the 1940s do not provide any data on inmates by type of crime and only one of the two available reports for the 1950s provides this information, so the statistics for 1954 can only provide a suggestion of female criminality for that decade.

As the only women's prison in Alabama (aside from work release centers) until late 2007, Tutwiler manifests one of the characteristic disadvantages of women's prisons in that it houses inmates ranging from minimum to maximum security risks. This arrangement is a disadvantage for the minimum and medium security risk inmates, who are forced to live under a regimen harsher than necessary because there is no separate institution for the most serious and dangerous offenders. In contrast to municipal or county jails, prisons are intended for those persons convicted of felonies rather than misdemeanors. Tutwiler, like the male prisons of Alabama, housed some county jail inmates into the 1960s due to economic circumstances in

⁹¹"Sisters Inside," *Alabama Prison Project Newsletter*, June/July 1983, 5. See also Research Advisory Services, "Tabulation of a Nationwide Survey of Female Offenders" cited in Pollock-Byrne, *Women, Prisons, & Crime*, 58; Kruttschnitt and Gartner, "Women's Imprisonment," 19.

Table 9a
ADC Female Prison Population: Inmate by Type of Crime,
1954–79

Decade & Race	Property	Violence	Moral	Other	Total
1954					
Black	61	90	5	7	163
White	19	13	8	15	55
Total	80	103	13	22	218
Percent	36.70%	47.25%	5.96%	10.09%	100%
1960–69					
Black	408	712	15	5	1,140
White	259	109	16	6	390
Total	667	821	31	11	1,530
Percent	43.59%	53.66%	2.03%	0.72%	100%
1970–79					
Black	319	337	95	5	756
White	187	182	72	12	453
Other	0	1	1	0	2
Total	506	520	168	17	1,211
Percent	41.78%	42.94%	13.87%	1.40%	100%

Source: *Alabama Department of Corrections Annual Reports* (title varies), 1954–79. Data unavailable in 1942–49 and 1976 reports.

Table 9b
ADC Female Prison Population: Inmate by Type of Crime,
1980–2007

Decade & Race	Property	Violence	Moral	Other	Total
1980–89					
Black	1,431	656	335	36	2,458
White	810	366	306	25	1,507
Other	5	7	3	0	15
Total	2,246	1,029	644	61	3,980
Percent	56.43%	25.85%	16.18%	1.53%	100%
1990–99					
Black	3,216	1,081	1,699	164	6,160
White	1,705	988	985	141	3,819
Other	5	1	6	0	12
Total	4,926	2,070	2,690	305	9,991
Percent	49.30%	20.72%	26.92%	3.05%	100%
2000–07					
Black	2,737	1,999	1,778	339	6,853
White	3,179	1,770	2,699	630	8,278
Other	5	3	3	0	11
Total	5,921	3,772	4,480	969	15,142
Percent	39.10%	24.91%	29.59%	6.40%	100%

Source: *Alabama Department of Corrections Annual Reports* (title varies), 1980–2007. Data missing for 1983, 1989, and 1994.

those counties. While small in number, these petty criminals ended up serving time in a maximum security prison along with murderers, robbers, and other felons; the exposure of petty offenders to the company of more hardened felons ran counter to the rehabilitative ideals expressed by prison reformers over the previous hundred years. Ironically, the current overcrowding crisis has resulted in a reversal: now many county jails are packed with state prisoners since there is no more room in state prisons.⁹²

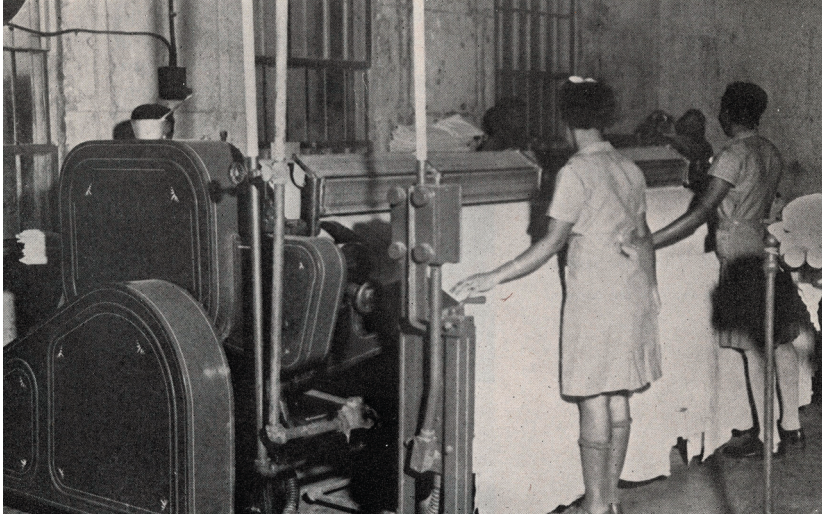
It is interesting to note that as the types of crime changed between 1960 and 2007 the listing of offenses grew longer and more complex. New forms of crime appeared in response to social and economic developments (property crimes involving the use of a credit card, for example). More perplexing in some ways is the great decline (as a percentage) in incarcerations for violent crimes. One explanation of this decline is that the numerical increase in incarcerations in general was greatest for moral crimes and least for violent crimes. Crimes of violence typically included attempted murder, manslaughter, and murder. Child abuse and sexual abuse started showing up in the 1980s and 1990s. In the 1960s there appears to have been a spate of women throwing acid on people, a form of violence apparently restricted to that decade.⁹³

Criminologists have suggested that black female offenders are more often convicted of violent crimes than white female offenders, which would suggest that the changing racial composition of Tutwiler has something to do with the decline in violent crime rates. The available statistics do not support such a conclusion, however.⁹⁴ While the black population of Tutwiler has steadily declined from about 73 percent in the 1940s to around 46 percent in the 2000s, the great-

⁹²Kim Chandler and Mike Cason, "Jails Hold State's Excess Inmates: State May Pay Counties to Relieve Prison Crowding," *Birmingham News*, December 16, 2004.

⁹³See, for example, *Report of the Board of Corrections State of Alabama: Financial and Statistical Report 1959–60* [and] *1960–61* (n.p., n.d.), 105, 132; *Report of the Board of Corrections State of Alabama: Financial and Statistical Report 1961–1962* [and] *1962–1963* (n.p., n.d.), 64–65, 70–71; *Report of the Board of Corrections State of Alabama: Financial and Statistical Report 1967–1968* (n.p., n.d.), 38, 40; all located in Box SG21633, Alabama Board of Corrections Records, ADAH.

⁹⁴Laurence French, "A Profile of the Incarcerated Black Female Offender," *Prison Journal* 63 (Autumn–Winter 1983): 83.



Inmates at work at the Tutwiler Prison laundry, from 1943 *Alabama Department of Corrections Annual Report*. Image courtesy of the Alabama Department of Archives and History.

est decline took place only in the past decade (see Table 3a–3b, pp. 267–68). Crimes of violence among Tutwiler’s inmates, however, experienced the greatest decline in the 1970s, at least twenty years prior to the greatest racial change (see Tables 9a–9b, pp. 284–85).

Moral crimes typically include felony-level offenses against public order and morality, including drug and sexual offenses. Starting in the 1970s, the list of drug-related incarcerations became much longer and more complex, and doubtless reflected national trends as federal and state governments engaged in aggressive prosecutions in an attempt to wage the “war on drugs.” Perhaps a reflection of the pressures of the civil rights movement, there were several incarcerations for miscegenation in the 1960s.⁹⁵ The consistently small per-

⁹⁵See, for example, *Board of Corrections Report 1959–60* [and] *1960–61*, 100, 105, 125, 132; *Board of Corrections Report 1961–1962* [and] *1962–1963*, 70–71, 94.

centage of “other” crimes includes those that do not fit the violent, property, or moral categories—for example, perjury or escape.

The broader shift from violent crimes to moral crimes (especially those involving drugs) have resulted, from the 1980s onward, in the noticeable increase in longer prison sentences (see Tables 10a–10f). The percentage of sentences longer than ten years has consistently increased during this time period. Statistics are not available for the 1940s and only one year for the 1950s (1954) is available, when 50 out of 220 inmates (22.73 percent) received a sentence of over ten years. All of the data are available for the 1960s and indicate that 549 out of 1,560 women (35.19 percent) received these longer prison sentences. Interestingly enough, there was a major decrease in long prison sentences in the 1970s, when 404 out of 1,624 women (24.88 percent) received a sentence of over ten years. From the 1980s through the present, the percentage of women receiving a sentence of over ten years has increased: 1,381 out of 3,844 inmates (35.93 percent) in the 1980s, 4,245 out of 10,536 inmates (40.29 percent) in the 1990s, and 6,708 out of 15,087 inmates (44.46 percent) for the years 2000–07.

It is possible to provide some tentative insights into daily life at Tutwiler. The generally poor conditions of the entire Alabama prison system, including the tension between rehabilitation of prisoners and financial viability of the state prison system, prompted the Alabama legislature to conduct investigations in 1949 and 1971. Some information about conditions at Tutwiler can be derived from these investigations. The state’s stinginess in appropriating a sufficient operating budget led to an impasse between the legislature and the governor in May 1949 regarding administrative control over the prison system. Gov. James Folsom declared, “No change in the administrative machinery will correct the evils which are due to the State’s policy of running a prison system to make profits instead of reforming the prison population.” Dr. Hallie Farmer, a member of the Alabama House of Representatives’ committee to investigate the system, said, “Our prison system back through the ages has been set up to make money. This reorganization bill is for the purpose of making rehabilitation

Table 10a
ADC Female Prison Population: Inmate by Prison Sentence, 1954

Sentence	Black	White	Total	Percent
Under 6 mos.	4	12	16	7.27%
6 mos.–1 yr.	7	5	12	5.45%
1 yr.	0	0	0	0%
1 yr. 1 day	14	1	15	6.81%
1 yr. 1 day–2 yrs.	9	11	20	9.09%
2 yrs.	27	5	32	14.55%
2 yrs. 1 day–3 yrs.	0	0	0	0%
3 yrs.	12	4	16	7.27%
3 yrs. 1 day–4 yrs.	0	0	0	0%
4 yrs.	4	0	4	1.82%
4 yrs. 1 day–5 yrs.	0	0	0	0%
5 yrs.	19	2	21	9.55%
5 yrs. 1 day–10 yrs.	27	6	33	15.00%
10 yrs.	0	1	1	0.45%
10 yrs. 1 day–15 yrs.	5	0	5	2.27%
15 yrs.	6	2	8	3.64%
15 yrs. 1 day–20 yrs.	5	2	7	3.18%
20 yrs.	5	1	6	2.73%
20 yrs. 1 day–25 yrs.	0	0	0	0%
25 yrs.	8	1	9	4.09%
25 yrs. 1 day–35 yrs.	3	0	3	1.36%
35 yrs.	0	0	0	0%
35 yrs. 1 day–999 yrs.	0	0	0	0%
Life	8	4	12	5.45%
Life w/o Parole	0	0	0	0%
Death	0	0	0	0%
Safe keeping	0	0	0	0%
Totals	163	57	220	100%

Source: *Alabama Department of Corrections Annual Reports* (title varies), 1954.

Table 10b
ADC Female Prison Population: Inmate by Prison Sentence, 1960–69

Sentence	Black	White	Total	Percent
Under 6 mos.	0	0	0	0%
6 mos.–1 yr.	0	0	0	0%
1 yr.	3	4	7	0.45%
1 yr. 1 day	37	36	73	4.68%
1 yr. 1 day–2 yrs.	41	21	62	3.97%
2 yrs.	91	61	152	9.74%
2 yrs. 1 day–3 yrs.	24	15	39	2.50%
3 yrs.	77	38	115	7.37%
3 yrs. 1 day–4 yrs.	13	9	22	1.41%
4 yrs.	27	16	43	2.76%
4 yrs. 1 day–5 yrs.	10	5	15	0.96%
5 yrs.	95	44	139	8.91%
5 yrs. 1 day–10 yrs.	114	34	148	9.49%
10 yrs.	157	39	196	12.56%
10 yrs. 1 day–15 yrs.	57	30	87	5.58%
15 yrs.	63	14	77	4.94%
15 yrs. 1 day–20 yrs.	12	0	12	0.77%
20 yrs.	49	21	70	4.49%
20 yrs. 1 day–25 yrs.	10	1	11	0.71%
25 yrs.	41	12	53	3.40%
25 yrs. 1 day–35 yrs.	48	5	53	3.40%
35 yrs.	15	3	18	1.15%
35 yrs. 1 day–999 yrs.	27	4	31	1.99%
Life	116	21	137	8.78%
Life w/o Parole	0	0	0	0%
Death	0	0	0	0%
Safe keeping	0	0	0	0%
Totals	1,127	433	1,560	100%

Source: *Alabama Department of Corrections Annual Reports* (title varies), 1960–69.

Table 10c
ADC Female Prison Population: Inmate by Prison Sentence, 1970–79

Sentence	Black	White	Other	Total	Percent
Under 6 mos.	6	1	0	7	0.37%
6 mos.–1 yr.	18	10	0	28	1.72%
1 yr.	0	2	0	2	0.12%
1 yr. 1 day	38	11	0	49	3.02%
1 yr. 1 day–2 yrs.	75	50	0	125	7.70%
2 yrs.	38	31	0	69	4.25%
2 yrs. 1 day–3 yrs.	49	38	0	87	5.36%
3 yrs.	63	35	0	98	6.03%
3 yrs. 1 day–4 yrs.	28	9	0	37	2.28%
4 yrs.	28	13	0	41	2.52%
4 yrs. 1 day–5 yrs.	40	18	0	58	3.57%
5 yrs.	73	27	0	100	6.16%
5 yrs. 1 day–10 yrs.	138	67	0	205	12.62%
10 yrs.	113	55	0	168	10.34%
10 yrs. 1 day–15 yrs.	63	29	0	92	5.67%
15 yrs.	45	17	0	62	3.82%
15 yrs. 1 day–20 yrs.	32	19	0	51	3.14%
20 yrs.	33	19	0	52	3.20%
20 yrs. 1 day–25 yrs.	11	9	0	20	1.23%
25 yrs.	25	6	0	31	1.91%
25 yrs. 1 day–35 yrs.	57	13	0	70	4.31%
35 yrs.	2	0	0	2	0.12%
35 yrs. 1 day–999 yrs.	8	15	0	23	1.42%
Life	112	34	1	0	9.05%
Life w/o Parole	0	0	0	0	0%
Death	0	1	0	1	0.62%
Safe keeping	0	0	0	0	0%
Totals	1,095	529	1	1,625	100%

Source: *Alabama Department of Corrections Annual Reports* (title varies), 1970–79.
 Data missing: 1976.

Table 10d
ADC Female Prison Population: Inmate by Prison Sentence, 1980–89

Sentence	Black	White	Other	Total	Percent
Under 6 mos.	17	13	0	30	0.78%
6 mos.–1 yr.	48	24	0	72	1.87%
1 yr.	68	34	1	103	2.68%
1 yr. 1 day	42	32	1	75	1.95%
1 yr. 1 day–2 yrs.	80	52	0	132	3.43%
2 yrs.	147	102	0	249	6.48%
2 yrs. 1 day–3 yrs.	75	78	0	153	3.98%
3 yrs.	209	92	1	302	7.86%
3 yrs. 1 day–4 yrs.	48	34	0	82	2.13%
4 yrs.	47	40	0	87	2.26%
4 yrs. 1 day–5 yrs.	49	38	0	87	2.26%
5 yrs.	100	99	1	200	5.20%
5 yrs. 1 day–10 yrs.	276	172	0	448	11.65%
10 yrs.	277	166	0	443	11.52%
10 yrs. 1 day–15 yrs.	107	55	0	162	4.21%
15 yrs.	212	103	0	315	8.19%
15 yrs. 1 day–20 yrs.	81	42	0	123	3.20%
20 yrs.	147	50	0	197	5.12%
20 yrs. 1 day–25 yrs.	62	26	0	88	2.29%
25 yrs.	49	19	0	68	1.77%
25 yrs. 1 day–35 yrs.	47	17	1	65	1.69%
35 yrs.	4	1	0	5	0.13%
35 yrs. 1 day–999 yrs.	42	21	0	63	1.64%
Life	115	143	5	263	6.84%
Life w/o Parole	9	9	0	18	0.47%
Death	6	7	0	13	0.34%
Safe keeping	0	1	0	1	0.03%
Totals	2,364	1,470	10	3,844	100%

Source: *Alabama Department of Corrections Annual Reports* (title varies), 1980–89.
 Data missing: 1985 and 1989.

Table 10e
ADC Female Prison Population: Inmate by Prison Sentence, 1990–99

Sentence	Black	White	Other	Total	Percent
Under 6 mos.	16	11	2	29	0.28%
6 mos.–1 yr.	42	41	0	83	0.79%
1 yr.	144	109	1	254	2.41%
1 yr. 1 day	89	44	0	133	1.26%
1 yr. 1 day–2 yrs.	134	90	1	225	2.14%
Up to 2 yrs. (1996 only)	299	188	0	487	4.62%
2 yrs.	431	241	0	672	6.38%
2 yrs. 1 day–3 yrs.	52	25	0	77	0.73%
3 yrs.	635	376	4	1,015	9.63%
3 yrs. 1 day–4 yrs.	27	10	0	37	0.35%
4 yrs.	123	85	0	208	1.97%
4 yrs. 1 day–5 yrs.	10	4	0	14	0.13%
2–5 yrs. (1996 only)	227	121	0	348	3.30%
5 yrs.	442	321	2	765	7.26%
5 yrs. 1 day–10 yrs.	299	198	0	497	4.72%
10 yrs.	958	486	3	1,447	13.73%
10 yrs. 1 day–15 yrs.	218	89	1	308	2.92%
15 yrs.	840	440	0	1,280	12.15%
15 yrs. 1 day–20 yrs.	452	205	0	657	6.24%
20 yrs.	286	142	0	428	4.06%
20 yrs. 1 day–25 yrs.	135	76	0	211	2.00%
25 yrs.	243	104	0	347	3.29%
25 yrs. 1 day–35 yrs.	98	92	1	191	1.81%
35 yrs.	12	22	0	34	0.32%
35 yrs. 1 day–999 yrs.	79	48	0	127	1.21%
Life	216	290	4	510	4.84%
Life w/o Parole	29	90	0	119	1.13%
Death	12	21	0	33	0.31%
Safe keeping	0	0	0	0	0%
Totals	6,548	3,969	19	10,536	100%

Source: *Alabama Department of Corrections Annual Reports* (title varies), 1990–99.
 Data missing: 1994 and 1998.

Table 10f
ADC Female Prison Population: Inmate by Prison Sentence, 2000–07

Sentence	Black	White	Other	Total	Percent
Under 6 mos.	20	21	0	41	0.27%
6 mos.–1 yr.	76	85	0	161	1.07%
1 yr.	134	236	0	370	2.45%
1 yr. 1 day	55	94	0	149	0.99%
1 yr. 1 day–2 yrs.	112	274	2	388	2.57%
Up to 2 yrs. (02–03 only)	261	359	2	622	4.12%
2 yrs.	333	223	0	556	3.69%
2 yrs. 1 day–3 yrs.	30	39	0	69	0.46%
3 yrs.	670	774	0	1,444	9.57%
3 yrs. 1 day–4 yrs.	12	25	0	37	0.26%
4 yrs.	101	195	0	296	1.96%
4 yrs. 1 day–5 yrs.	5	9	0	14	0.09%
2–5 yrs. (02–03 only)	295	350	0	645	4.28%
5 yrs.	420	886	4	1,310	8.68%
5 yrs. 1 day–10 yrs.	196	405	0	601	3.98%
10 yrs.	760	916	0	1,676	11.11%
10 yrs. 1 day–15 yrs.	179	194	0	373	2.47%
15 yrs.	875	849	0	1,724	11.43%
15 yrs. 1 day–20 yrs.	729	483	0	1,212	8.03%
20 yrs.	565	365	0	930	6.16%
20 yrs. 1 day–25 yrs.	255	160	0	415	2.75%
25 yrs.	195	206	0	401	2.66%
25 yrs. 1 day–35 yrs.	149	163	0	312	2.07%
35 yrs.	14	28	0	42	0.28%
35 yrs. 1 day–999 yrs.	57	88	0	145	0.96%
Life	374	483	0	857	5.68%
Life w/o Parole	97	176	0	273	1.81%
Death	14	10	0	24	0.16%
Safe keeping	0	0	0	0	0%
Totals	6,983	8,096	8	15,087	100%

Source: *Alabama Department of Corrections Annual Reports* (title varies), 2000–07.

possible.”⁹⁶ Farmer, a professor of state government at the Alabama State College for Women (now the University of Montevallo), worked with the Speaker of the House to reinstate the prison investigation committee over Governor Folsom’s 1947 veto of the committee’s enabling legislation. Despite a lack of funding the committee proceeded to investigate the state prison system and came to the conclusion that it was in serious need of reform.⁹⁷ Dorah Sterne, who had done so much in the 1930s to promote the cause of prison reform and the establishment of a women’s prison, participated in the investigation through the Osborne Association, a New York group established in 1932 for the purpose of offering assistance in the reform and rehabilitation of offenders as alternatives to traditional incarceration.⁹⁸

In 1971 the Senate and House of Representatives of Alabama formed a joint legislative committee to investigate the system again, largely in response to a series of investigative stories run by *Montgomery Advertiser* editor and publisher Harold E. Martin in 1969 and 1970 exposing terrible conditions and mismanagement. Martin received the Pulitzer Prize in 1970 for uncovering scandals such as the subjection of inmates to dangerous drug testing and the use of convict labor on a warden’s private house.⁹⁹ Ultimately the investigations of this period led to U.S. District Court Judge Frank M. Johnson Jr. declaring the Alabama state prison system unconstitutional in 1976.¹⁰⁰

⁹⁶“Message from the House,” *Journal of the Senate of Alabama, Regular Session of 1949* (Montgomery, n.d.), 1:1132–33; “Message of Governor James E. Folsom,” May 3, 1949, *Journal of the House of Representatives of Alabama, Regular Session of 1949*, 1:19; “Highlights of Folsom’s Speech,” *Montgomery Advertiser*, May 4, 1949, 6; “House Group Favors Bill to Take Prison System Control from Governor,” *Montgomery Advertiser*, May 20, 1949, 1.

⁹⁷Toffel, *Women Who Made a Difference*, 49–58.

⁹⁸“Osborne Association,” in Kimberly N. Hunt, ed., *Encyclopedia of Associations*, 41st ed. (Farmington Hills, Mich., 2004), vol. 1, part 2, p. 1271; “Thomas Mott Osborne,” in John S. Bowman, ed., *Cambridge Dictionary of American Biography* (New York, 1995), 548; Toffel, *Women Who Made a Difference*, 142–44. The association was named after Thomas Mott Osborne (1859–1926), a prison reformer, author, and warden of Sing Sing Prison.

⁹⁹Jon Nordheimer, “Alabama Editor Proud Crusader,” *New York Times*, March 7, 1971, 96; Jerry Estill, “State Government Major News in ‘69,” *Montgomery Advertiser*, January 4, 1970, 5A; Harold E. Martin, “Medical School to Test Anesthetic at Draper,” *Montgomery Advertiser*, January 14, 1970, 1; *Journal of the Senate of the State of Alabama, Regular Session of 1971* (Montgomery, 1971), 4:4182.

¹⁰⁰*James v. Wallace*, 406 F. Supp. 318 (M.D. Ala. 1976).

The Julia Tutwiler Prison of the 1940s appears to have been a very violent place judging from the available accident, disciplinary, and physician's reports. Inmates fought amongst themselves and attacked prison guards. For example, Viola Potts, a twenty-four-year-old, received stitches for a cut on her forehead caused by flying glass from a broken bottle during a fight in a cell on July 16, 1946. On August 8, 1946, fifty-year-old inmate Jessie McCargo died of a skull fracture that she suffered in a fight with a fellow inmate named L. C. Jackson. In March 1947, Lula Mae Johnson attempted to assault a male guard, T. L. McDonald, with a hoe after being reprimanded for her failure to follow work instructions on the prison farm. For this attack Johnson was punished by twelve lashes from a whip and a demotion in inmate status for the next sixty days.¹⁰¹ A demotion in inmate status meant that Johnson lost some of the privileges rewarded to inmates for good behavior.

Although whipping convicts was briefly abolished by Alabama during the 1920s, it remained as a disciplinary measure at least until the early 1960s.¹⁰² An attempt to ameliorate the practice appeared in the 1940 *Code of Alabama*, which stated that an official record of corporal punishment inflicted on prisoners had to be kept and that "no cruel or excessive punishment shall be inflicted on any convict."¹⁰³ The prison physician was required to approve of any whipping, which was not normally to involve more than fifteen lashes; the standard whip was a three-inch-wide strap "tapered at the end to sting, not to bruise."¹⁰⁴ A report by the Osborne Association arising out of its 1949 investigation of the state prison system decried the "combination of great laxity in handling prisoners on the one hand, and on the other hand undue severity in punishing them for disciplinary infractions."¹⁰⁵ According to the punishment records for the 1940s available for Tutwiler, of the female inmates whipped, only one received

¹⁰¹Reports, 1942–47, Administrative Correspondence Julia Tutwiler Accident Reports folder, Box SG17650, Alabama Department of Corrections and Institutions Records, ADAH.

¹⁰²Ray A. March, *Alabama Bound: Forty-Five Years inside a Prison System* (Tuscaloosa, 1978), 151.

¹⁰³*Code of Alabama* (1940), title 45, part 49.

¹⁰⁴Malcolm C. Moos, *State Penal Administration in Alabama* (Tuscaloosa, 1942), 134.

¹⁰⁵Osborne Prison Association, *Report of the Osborne Association, Inc. on the Alabama Prison System: Summary of Findings* (n.p., n.d.), 2.

the maximum fifteen lashes, the same Lula Mae Johnson mentioned above, this time for fighting with a fellow inmate, Clara Billings, on April 28, 1947. Estelle Arnold received ten lashes and a demotion in inmate status on May 30, 1947, for biting Ary Johnson's hand and thus "causing infection with blood poisoning," resulting in Johnson's hospitalization.¹⁰⁶

One rather surprising example of the "great laxity" referred to in the 1949 Osborne Association investigation is the lack of supervision of Tutwiler inmates while employed as domestic servants in the local community. Especially revealing is the folder labeled "Escapes and Recaptures 1943-1947" in the administrative correspondence available at the state archives. A report dated September 11, 1943, relates the escape of Vandella Easley (alias Vandella Easton), who was contracted out to Mrs. Grace Thornton, an employee of the Julia Tutwiler Prison. "The subject escaped when she was in Wetumpka with Mrs. Thornton's child and did not return to Mrs. Thornton's automobile at the time she was instructed to do so. We were unable to find any trace of her."¹⁰⁷ What makes this case even more surprising is the fact that Easley had escaped and been recaptured on May 27 and was thus a known security risk: "She was recaptured inside the Prison Walls after attacking the colored woman who stays in a shack at the back gate and trying to gag her and she called for help after striking Vandella on the head with a stool. Three large pocketbooks were found in the yard with her shoes and free world clothes in them."¹⁰⁸ Three years later, Mary Miller (alias Mary Williams), a convict in the employ of Mr. L. J. Davis, himself an employee of the Tutwiler Prison, escaped while under minimal no supervision. "Mrs. Davis went to Montgomery leaving her young child at home with the servant. Mrs. Davis returned to find the child at home alone and Mary could not be located."¹⁰⁹ Indeed, the Osborne Association report observed, "both men and women prisoners are assigned to work for private individuals; this is highly improper and probably illegal."¹¹⁰

¹⁰⁶ Reports, 1942-47, Administrative Correspondence Julia Tutwiler Accident Reports folder, Box SG17650, Alabama Department of Corrections and Institutions Records, ADAH.

¹⁰⁷ Ibid., emphasis added.

¹⁰⁸ Ibid.

¹⁰⁹ Ibid., emphasis added.

¹¹⁰ *Report of the Osborne Association*, 4.

The fact that statistics on escapes and recaptures were listed in annual reports through the 1970s is one indication that life at Tutwiler was not particularly pleasant. Other indicators of difficult conditions can be gleaned from several sources. For example, the 1971 Alabama Prison Study Committee report indicates that Tutwiler was in poor condition: "Buildings could stand considerable improvement. Such a drab look is certainly no credit to the State of Alabama." In addition the buildings suffered from "very leaky" roofs and roof timbers that were "rotten and dangerous."¹¹¹

As early as 1949 Tutwiler began to experience crowding and space problems. The Alabama legislature's Prison Investigation Committee (operating at the same time as the Osborne Prison Association) suggested that dormitory space at Tutwiler needed to be converted into single rooms with "adequate provision for security; this is necessary to prevent perversion, to remove chronic troublemakers from the dormitories, to give emotionally disturbed women and others privacy or special protection, and to house newly admitted women."¹¹² The next mention of space problems at Tutwiler in the available sources appeared in 1960 in a special report on proposed new prison facilities for the entire state. The prison was described as being "only in fair condition, and additional facilities for workshop, school, and chapel are very badly needed." The report also suggested adding medical facilities to Tutwiler.¹¹³ This was not a small concern, considering that women often arrived suffering from a variety of ailments such as malnutrition, diabetes, high blood pressure, dental disease, hypertension, alcohol and drug addictions, mental health problems, and, since the 1980s, HIV/AIDS.¹¹⁴

Following national trends in female criminal justice, Tutwiler started to experience significant growth in population in the 1980s followed by a veritable population explosion in the 1990s (see Tables 3a–3b, pp. 267–68). With the rate of female incarceration continuing

¹¹¹Alabama Prison Study Committee, *Report* (Montgomery, 1971), 15.

¹¹²*Report and Recommendations of the Prison Investigation Committee* (n.p., 1949), 20.

¹¹³Alabama Department of Corrections *Montgomery, Alabama: Proposed, New Prison Facilities* (n.p., 1960), 1, 27.

¹¹⁴Feinman, *Women in the Criminal Justice System*, 65, 67.

to increase into the new century, it is not surprising that the prison experienced an overcrowding crisis in 2003. The warning signs appeared at least as early as 1978 when the annual report of the Department of Corrections stated that the average daily population of state prisons “has grown dramatically during the past five years.” In 1973 there was a population of 144 female inmates; by 1978 the population had reached 264.¹¹⁵ A gradual sense of growing alarm about prison crowding is evident in the annual reports of the 1980s and 1990s as the authorized capacity of Tutwiler was increased in response to growing numbers of inmates sent to the prison over this period, from 260 female inmates in 1981 to 617 inmates in 1997, and to 1,006 inmates in 2003. The facilities were not increased in size to accommodate the growing number of inmates; instead, more inmates were being housed in the same physical space.¹¹⁶ The authorized capacity was reduced to 950 in 2004, and excess inmates were shipped to Louisiana for housing. Nevertheless, 1,004 inmates were still being housed on the premises at Tutwiler that year. In 2005 the number of inmates housed at Tutwiler was kept at the authorized limit of 950 (the surplus inmates were again shipped to Louisiana), but the prison was still overcrowded since the facility was designed to accommodate only 549 inmates.¹¹⁷

Starting with the 2000 annual report, the Commissioner of the Alabama Department of Corrections noted the negative consequences of overcrowding at Tutwiler in each 2000–06 annual reports. Overcrowding has many consequences: the discomfort and stress imposed on inmates and staff, the housing together of inmates of widely differing levels of custody, the difficulty of accommodating inmates with special needs, and the lack of recreational space. Expansion is

¹¹⁵“Population on Hand by Age, Race, and Sex, October 1, 1972 to September 30, 1973,” in *Board of Corrections Annual Report: For Fiscal Year October 1, 1972 to September 30, 1973* (n.p., n.d.), 14; “Inmates by Location—Race and Sex, October 1, 1977–September 30, 1978,” in *Board of Corrections Annual Report: For Fiscal Year October 1, 1977 to September 30, 1978* (n.p., n.d.), 15–16.

¹¹⁶*Annual Report: Department of Corrections 1980–1981* (n.p., n.d.), 2; *Annual Report of the Alabama Department of Corrections Fiscal Year 1997* (n.p., n.d.), 34; *Alabama Department of Corrections Annual Report Fiscal Year 2003*, 45.

¹¹⁷*Alabama Department of Corrections Annual Report Fiscal Year 2004*, 47; *Alabama Department of Corrections Annual Report Fiscal Year 2005*, 47.

unlikely: “the topography is such that expansion external to the perimeter is prohibitive, and space within the perimeter has been fully exploited. Further, the sewage treatment lagoons cannot be expanded to accommodated [*sic*] additional inmates which [*sic*] are increasing faster than males. Tutwiler has become landlocked.”¹¹⁸

While generally less violent than male prisoners, researchers agree that the experience of female prisoners is in some ways more difficult than that of males. Female inmates tend to find some of the rules and regulations of life behind bars more onerous than males. Aside from distress caused by separation from their children, female prisoners also suffer from greater emotional strains than male prisoners and consequently engage more often in rule breaking and behavior such as self-mutilation.¹¹⁹ Female inmates are often more subject to petty tyrannies from prison staff than are male inmates. According to Nicole Rafter and Elizabeth Stanko, this is because women who have acted criminally are seen as not conforming to their appropriate sex role and hence are more deserving of punishment than male criminals.¹²⁰

The *Alabama Prison Project Newsletter* is one of the few narrative sources that provides specific details of the dissatisfactions of prison life among Tutwiler’s inmates. For example, Pat Greg complained about “some attitudes, behaviours [*sic*], and policies of the staff at Tutwiler which unnecessarily and unreasonably worsen our punishment, making the situation some of us face more unjust and unfair.” Specifically, she decried “attitudes of superiority” and the cultivation of “inmate snitches.” Greg asked, “What has happened to caring? . . . to empathy? . . . to understanding?”¹²¹

The “Sisters Inside” column of the newsletter provides more insights into life behind bars: “Statistics don’t speak the pain of isolation, separation and lives forever changed.” The Tutwiler infirmary was routinely overcrowded and the “petty rules” were a source of aggravation (for example, restrictions on the number of pillowcases or

¹¹⁸ *Alabama Department of Corrections Annual Report 2000* (n.p., n.d.), 35; *Alabama Department of Corrections Annual Report Fiscal Year 2005*, 47.

¹¹⁹ Pollock-Byrne, *Women, Prison, & Crime*, 71–72, 75–77, 130; Dobash, *Imprisonment of Women*, 193; Nicole Rafter and Elizabeth Stanko, *Judge, Lawyer, Victim, Thief* (Boston, 1982), 264.

¹²⁰ Rafter and Stanko, *Judge, Lawyer, Victim, Thief*, 209.

¹²¹ Pat Greg, “Women in Alabama Prisons,” *Alabama Prison Project Newsletter*, Spring 1981, 6.

tampons issued to each inmate). A lack of telephones and “virtually non-existent [*sic*] mental care” is also mentioned.¹²² The January 1984 issue complained of humiliating disciplinary measures taken during a shake-down of inmates: “Officials invaded our cells and took possession of almost everything we had. . . . They actually made me and many others take off our panties and seized them . . . [and] they made south hall pull off underwear in front of the males.” All seized items, including legal papers and documents, were returned the next day.¹²³

The Department of Corrections was sometimes responsive to inmate complaints at Tutwiler and elsewhere. During the 1983–84 fiscal year it instituted an inmate grievance system. Ninety-one complaints were filed system-wide during that year. The largest two categories of grievance were “medical matters” at 36 percent and “procedures and conditions” at 32 percent.¹²⁴ More details emerged later in the 1980s when the annual reports listed grievances by institution. Grievances against prison staff were the second highest category at Tutwiler in 1986 (twenty out of a total of eighty-three grievances broken down into twenty-one categories of grievance) and were the highest category at Tutwiler in 1987 (126 out of a total of 356 grievances broken down into twenty-two categories).¹²⁵

The history of the Julia Tutwiler Prison for Women is one of good intentions but generally disappointing results. Thanks to a nearly perpetual lack of resources, the progressive goal of rehabilitating female criminals has rarely been reached. Out of financial necessity, much energy has been devoted to making a profit via prison industries. Those inmates not employed by the textile plant or data processing operation (and before that the canning plant and the prison farm) have normally been used to maintain the physical plant of the prison itself and have been employed in the kitchen, in the laundry, and plant maintenance rather than in educational or rehabilitative programs.

¹²²“Sisters Inside,” *Alabama Prison Project Newsletter*, June/July 1983, 5.

¹²³“Sisters Inside,” *Alabama Prison Project Newsletter*, June 1984, 4.

¹²⁴*Alabama Department of Corrections 1983–1984 Annual Report*, 55.

¹²⁵*1986 Annual Report of the Alabama Department of Corrections*, CIS SRI microfiche, SRI 87 S0115-1, p. 59; *Alabama Department of Corrections Annual Report 1987* (n.p., n.d.), CIS SRI microfiche, SRI 88 S0115-1, p. 51.

Tutwiler has long struggled with female occupational and social stereotyping. Until quite recently, the few so-called rehabilitative programs open to Tutwiler inmates included activities such as flower arranging and sewing, hardly conducive to producing inmates with truly viable job skills upon discharge. The patriarchal control of women via the Alabama criminal justice system described by Mary Dixie Dysart in the early twentieth century has only recently relaxed its grip.

Part of this may be due to the changing demographics of the typical female felon in Alabama. Over the past sixty-odd years, the racial balance has switched from over 70 percent black and just over 18 percent white (not including the small number of black and white male inmates located there until 1968) to just under 46 percent black and just over 52 percent white (see Tables 3a–3b, pp. 267–68, and 4, p. 269). While African Americans are still overrepresented in relation to the population of the state of Alabama, there has been an increasing shift to a more balanced female prison population.¹²⁶ In addition to a changing racial balance, the Tutwiler population has been growing older and more educated, and it is staying longer in prison than in previous generations. Some of the dissatisfaction with the limited vocational rehabilitation options expressed in *The Alabama Prison Project Newsletter* reflects the growing consciousness of feminism and prisoners' rights in recent decades. Fortunately, vocational training and educational options for the women of Tutwiler have improved considerably over the past twenty years.

Unfortunately, the periodical fiscal crises afflicting the entire state prison system are likely to sabotage any attempts to improve conditions at Tutwiler. On August 23, 2004, U.S. District Court Judge Myron Thompson gave his final approval to the settlement of a class-action suit (*Laube v. Campbell*) filed on behalf of the inmates of the prison contending that conditions were unsafe, unhealthy, and overcrowd-

¹²⁶ According to the 2000 Census of Population and Housing, the female population of Alabama age fifteen and over numbered 1,846,476. White females comprised 1,328,176 (71.93 percent) of this population and African American females comprised 473,010 (25.62 percent). U.S. Census Bureau, Census 2000 Summary File 1, tables P12 (Sex by Age, Total Population), P12A (Sex by Age, White Alone), and P12B (Sex by Age, Black Alone). Available online at <http://www.census.gov>.

ed.¹²⁷ Poor conditions and overcrowding still afflict Tutwiler (as well as the entire Alabama prison system), problems which the planned construction of a second prison for women in Montgomery may help alleviate. Nevertheless, as of early 2007, according to an investigative report by *Montgomery Advertiser* reporter Kenneth Mullinax, the Julia S. Tutwiler Prison for Women exemplified “the problems found at all 14 of Alabama’s major correctional facilities—overcrowding, personnel shortages, aging physical plant and soaring healthcare costs.”¹²⁸ On March 6, 2008, the state-authorized Alabama Commission on Women and Girls in the Criminal Justice System issued a report on the condition of the state’s correctional system for women. The commission recommended tearing Tutwiler down and replacing it with a network of smaller facilities located around the state. The commission also recommended improvements such as expanding programs that offer alternatives to incarceration, matching discharged inmates with appropriate social services to help them reintegrate into society, improving information systems, and establishing “gender-informed” case management programs.¹²⁹ Due to financial constraints, however, as of this writing there are no plans to replace Tutwiler or to implement the commission’s other recommendations. So far, the history of the Julia S. Tutwiler Prison for Women has largely been one of disappointment. However, the prospect that the commission’s recommendations may be implemented soon offers hope that the good intentions of the early reformers who advocated for a women’s prison might one day be realized.

¹²⁷Shelia M. Poole, “Alabama OKs Reforms for Female Prison,” *Atlanta Journal-Constitution*, August 25, 2004; Carla Crowder, “Leniency for Women Seen as Prison Solution: Advocates Say It’s Safest Way to Reduce Crowding, Cut Costs,” *Birmingham News*, January 16, 2005; *Laube v. Campbell*, 333 F. Supp. 2d. 1234 (M.D. Ala. 2003).

¹²⁸Kenneth Mullinax, “Tour Shows Prison Woes,” *Montgomery Advertiser*, February 23, 2007.

¹²⁹Stan Diel, “Tutwiler Here to Stay, Says Prisons Chief,” *Birmingham News*, March 7, 2008.

Copyright of Alabama Review is the property of University of Alabama Press and its content may not be copied or emailed to multiple sites or posted to a listserv without the copyright holder's express written permission. However, users may print, download, or email articles for individual use.