

## DELAWARE'S PENAL INSTITUTIONS

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Delaware today has a penal system that has gone through only a small portion of the development that has taken place elsewhere in the United States. Without a state prison or adult reformatory for either men or women, and committing its adult offenders to two county jails and one county workhouse, the state finds itself seriously handicapped in her efforts to deal with penal problems. The establishment of a centralized state prison system has thus far been made impossible by the conflict in interests between an urban north and a politically stronger rural south, and, as a result, each of the state's three counties has its own independently maintained and operated penal institution.

New Castle, the northern county, completed its present workhouse in 1901, and for the first time in her history Delaware had a prison where a large-scale labor program could be introduced. This workhouse, the largest of Delaware's penal institutions, is situated at Greenbank about five miles from Wilmington, the state's most populous city. Although the institution's property covers approximately forty acres, only six of these are occupied by the main prison buildings and an inclosed recreation yard. All the buildings are of red brick, and the entrance to the principal one is through the administration department into a large central guardroom flanked on each side by a cell house. To the rear of the central guardroom, and connected to it, is the wing housing the workshop and commissary department.

The two cell houses contain three hundred twenty steel inside-type cells,<sup>1</sup> five feet by seven feet by eight feet high, arranged on two floors, each floor having two tiers of cells. The cells in each tier are placed in two rows, arranged back to back, and separated by a service corridor that contains the wiring and plumbing fixtures, while before each row is an exercise cage running the length of the row. The lighting and ventilation of the cell blocks are average for this type of construction, and each cell is equipped with a wash bowl, a flush toilet, and electric light.

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<sup>1</sup> Cells that do not have direct access to windows.

In 1937, a building formerly used as a repair shop was renovated and converted into a dormitory where certain selected prisoners could be segregated. This now has accommodations for about eighty men and is being used for first offenders. The prisoners lodged in this building are kept entirely separate from the inmates of the main building.

Delcastle Farms, a prison farm containing over six hundred acres and located about two miles from the main prison building, also is under the jurisdiction of the board of trustees of the workhouse. Two stone and cement block dormitory buildings have been constructed there to provide sleeping and eating quarters for one hundred fifty-four selected inmates who work on the farms.

The women's department of the New Castle County Workhouse occupies a building about three hundred yards from the men's prison. Built in 1929, it is a three-story brick structure, fitted with bedrooms, a dormitory, cells, a workroom, an assembly hall, and an infirmary, and has a capacity for about fifty inmates. Each of the seven bedrooms, which are located on the second and third floors, has three beds. The dormitory on the second floor has eight beds, and there are ten cells in the cell block on the same floor. The bedrooms are equipped with spring beds, chairs, tables and metal dressers. The cells in the cell block are modern in every respect except that they are of the inside-type and fitted with double-deck bunks.

The general management of the New Castle County Workhouse is entrusted to a board of trustees composed of five persons appointed to serve for five years without pay by the judges of the Superior Court and the Court of General Sessions, residing in New Castle County. The terms of the trustees overlap in such a way that the term of one member of the board expires each year, and at no time are all the trustees to be of the same political party. The board holds title to the workhouse lands and has complete power to manage the institution, appointing the warden and other necessary staff members and fixing their salaries. The board must, however, report periodically to the levy court, which provides funds for the support of the institution out of general county tax levies. It should be explained here that each county in Delaware has a levy court, composed of three elected officers and corresponding to the board of county commissioners in other states.

The present warden of the New Castle County Workhouse, Elwood H. Wilson, was appointed in 1935, and before becoming warden,

he was captain of Wilmington's detective force. Serving directly under him are the deputy warden, the chief clerk, the supervisor of the women's building and the superintendent of the Delcastle Farms. In the men's prison there are thirty-four guards, three captains, and one deputy warden. The supervisor of the women's prison is assisted by a matron and two nurses. The employees of the workhouse are furnished with uniforms, but there is no training plan, no form of civil service and neither the county nor the state makes any provision for retirement on pension.

In administering the institution, the board of trustees has long been hampered by serious financial limitations. Until last year, the only source of revenue specifically guaranteed by law was the one dollar daily maintenance allowance paid by the counties for each person imprisoned in the workhouse. It is true that the levy court of New Castle County appropriated such other funds for the institution as the members of the court deemed necessary; but there was no assurance that such appropriation would be made, or if made, would be sufficient to meet the needs of the institution. As a result, the revenue of the workhouse was subject to wide fluctuations, depending to a large extent upon the number of prisoners committed. This situation was a constant source of concern to the board of trustees and strongly militated against their embarking upon a long-range program of penal administration.

Furthermore, since the population of the New Castle County Workhouse had been declining during the past few years, the board of trustees was confronted with a decrease in its only legally guaranteed source of revenue, that is, the daily per capita maintenance allowance paid to the institution for each of its inmates. The average population for 1941 was three hundred seventy-eight which represented a decrease of one hundred forty-two below that of 1938. On November 30, 1941, three hundred forty-nine prisoners were at the workhouse, twenty-four of whom were in the women's prison. This was one hundred twelve less than were in the institution on that date in 1938. During 1941, two thousand one hundred eighteen prisoners were received at the workhouse, one hundred twenty-seven of whom were women. This was eight hundred sixty-eight less than were received during 1938.

Fortunately, last year the state legislature, by a law approved on April 14, 1941, moved to stabilize the financial condition of the work-

house.<sup>2</sup> This act eliminated the daily per capita maintenance allowance paid to the institution by New Castle County for the care of its prisoners, and in its place provided for the operation of the workhouse on the basis of an annual budget, which is subject to the approval each year of the levy court. Kent and Sussex, Delaware's other two counties, are to continue to pay the one dollar daily per capita allowance for the maintenance of their prisoners at the New Castle County Workhouse. An important obstacle to the introduction of a modern penal program has thus been removed, but whether full advantage is taken of this improvement depends in a large measure upon the point of view of those in charge of the institution's administration.

However, in all fairness to the board of trustees, it should be explained that the financial problems of the workhouse are still aggravated by the fact that the people of the state were persuaded to support the creation of the institution largely as a result of the argument that it would provide a self-supporting prison for Delaware's convicts. This argument now hangs like a sword above the heads of the workhouse administrators and they are expected to prove its validity. There is thus a tendency on the part of the public to make the institution's financial statement a standard by which the effectiveness of the workhouse administration is measured, but it has always been difficult to show investments in human nature in dollars and cents. Buildings, equipment and live stock can be touched and counted, but the significance of renewed human values has a way of eluding monetary appraisal. It is not surprising, therefore, that the board of trustees has tended to operate the institution primarily as a business enterprise, rather than as a reformatory agency. Public opinion, not only in Delaware, but elsewhere in the United States, must be educated to demand that the rehabilitation of prisoners be made a fundamental principle in the administration of all penal institutions.

Although there have been weaknesses in the financial structure of the workhouse, the fatal defect in its organization has been the triple purpose that the institution has been made to serve. From the very beginning in 1901, the institution was a combination lockup for the City of Wilmington and a county jail, and then in 1905, it became in effect a state prison. A law passed in that year provided that the courts of Kent and Sussex might, at their discretion, send all their prisoners to the New Castle County Workhouse, and until 1933, the

<sup>2</sup> *Laws of the State of Delaware*, Vol. 43, Ch. 214.

procedure was to commit such Kent and Sussex prisoners with sentences of six months or more to that institution.

It is important to observe, however, that even though Delaware in this way appeared to acquire a state prison system, the arrangement at best was only a makeshift. Not only did its existence depend entirely on the discretion of the courts of Kent and Sussex Counties, but also the workhouse was not properly prepared to assume this additional responsibility.

The two lower counties of Kent and Sussex for a number of years protested against what they considered to be the exorbitant maintenance rate charged by the workhouse. Finally, in 1933, after new jails had been constructed in those counties, their representatives were able to put through the legislature a law providing that all prisoners convicted in Kent and Sussex and sentenced to terms of imprisonment of ten years or less, were to be committed to the jails of those counties. The courts of Kent and Sussex might, at their discretion, still commit all prisoners sentenced for terms of more than ten years to the New Castle County Workhouse. At first, it was customary for the courts of the lower counties to do this, but during the past few years there has been a decline in the practice.

This act did more than merely retard, it actually reversed Delaware's penal development. The New Castle County Workhouse had become in effect a state prison for the long-term convicts of all counties. With the law of 1933, Delaware firmly recommitted herself to a county jail system, and the completion, in 1931, of the new Sussex County Jail and, in 1932, of the new Kent County Jail, may have the effect of retarding centralization for a considerable length of time to come.

However, on April 8, 1941, this situation was somewhat improved by the enactment of legislation which again makes it possible for the courts of Kent County, at their discretion, to send all their prisoners to the New Castle County Workhouse.<sup>3</sup> Consequently, the practice of committing all Kent County's long-term prisoners to that institution will probably be revived.

The multiplicity of duties involved in the performance of all the functions of a city lockup, a county jail, and a state prison has placed an insurmountable barrier of penal problems before the administrators of the workhouse. All types of prisoners have to be cared for by an institution that is expected to become as nearly as possible a "finan-

<sup>3</sup> *Laws of the State of Delaware*, Vol. 43, Chs. 213, 215.

cially self-sufficient proposition." Those awaiting trial and those detained as witnesses, as well as youthful offenders, hardened convicts, short-term and long term prisoners, all are incarcerated in the same institution. The concomitant shifting of the prison's population has not only increased the problems of sanitation, but makes the establishment of a program for the long-term convicts impossible. No prison administration saddled with such conflicting functions could possibly discharge them all successfully, especially one like that of the workhouse, which has been constantly hampered by the lack of a trained force of officers and guards.

The existing program of handling prisoners at the workhouse falls far short of modern penal standards. All persons convicted of any crime and committed to the workhouse are required by law to work for eight hours each secular day, unless they are physically disabled. Nevertheless, those in charge of the institution are now finding it impossible to provide employment for all inmates, and there is little opportunity for prisoners to earn anything for themselves. For a number of years the principal industry was the manufacture of clothing under contract with various private corporations; but the clothing shop was closed early in 1939, because of the operation of the Hawes-Cooper Act,<sup>4</sup> although Delaware herself has not as yet passed any legislation in accordance with this federal law. The loss of the clothing industry, together with the decrease in the average population of the workhouse, has placed added financial and administrative burdens upon the board of trustees. In order to ease this strain, as well as to provide some vocational training for prisoners, the board of trustees and the warden, with some success, have been trying to establish a number of small industries, such as shoe-repairing, upholstering and furniture-repairing.

The prison farm has made possible the employment of a considerable number of prisoners. During 1941, an average of about sixty-two men were employed in agricultural and cannery work. These men, and the inmates of the women's department who are kept employed in the making of clothing and rugs, also receive some vocational training in the discharge of their duties.

The creation of a satisfactory prison labor program at the work-

<sup>4</sup> This federal law enables the state to regulate the sale within its own boundaries of prison-made goods from other states by divesting such goods of their interstate character. It therefore, in accordance with the wishes of its sponsors, has made possible the passage of legislation to discourage the use of prison-made goods by private manufacturers.

institution, but the sheriff has charge of the actual administration. It is his duty to supervise the operation of the jail, either personally, or through a keeper whom he may appoint, and for whose conduct he is responsible. However, the sheriff may receive no rent for any part of the jail, nor any compensation for appointing a keeper, nor any part of the keeper's emoluments.

The levy court is empowered to provide funds for the support of the jail out of the general county tax levies, but the law does not specifically guarantee any source of revenue for this purpose except the daily per capita allowance for the feeding of the prisoners. The efficiency of its operation, therefore, is largely dependent upon the favor of the levy court, whose members, elected as they are, usually have no understanding of penal problems. Moreover, this unfortunate arrangement is made worse by entrusting the actual management of the jail to the sheriff, who, being an elected officer, seldom has any experience or training in such work. As a matter of fact, the law, by making it impossible for the sheriff to succeed himself, eliminates the possibility of his becoming experienced in the discharge of his duties.

The sheriff is now receiving sixty cents a day to feed each prisoner, but he is not required to submit any report on how such money is spent. This, it may be noted, is exactly the way food was provided for prisoners over one hundred years ago. The sheriff is assisted in the management of the institution by four guards and a matron, two of the guards being assigned to the night shift. As in New Castle County, there is no training plan, no form of civil service, and no provision for retirement on pension.

The present plan of administering the Kent County Jail has many serious defects and advocates of a more progressive penology for Delaware were, therefore, highly gratified when the legislature, by a law approved on May 14, 1941, provided for some important changes in this institution's organization.<sup>6</sup> This law, which is not to become effective until January, 1943, directs the levy court to appoint a warden for the Kent County Jail, who is to serve for a term of six years and who is eligible to succeed himself. The warden is authorized to select a deputy warden and guards, all of whom are to hold office at his pleasure, and to formulate rules and regulations for the proper operation and maintenance of the jail. Before such rules become effective, however, they must be approved by one or more of

<sup>6</sup> *Laws of the State of Delaware*, Vol. 43, Ch. 216.

the judges of the Court of General Sessions of the State of Delaware. The warden is to receive a salary of two thousand dollars a year; the deputy warden, twelve hundred dollars a year; and each of the guards, one thousand dollars a year. Both the warden and his deputy are to be provided with board and living quarters at the jail.

All food for the prisoners is to be purchased by the warden, subject to the approval of the levy court of Kent County, and all the necessary expenses involved are to be paid for by this court. The warden is not to be removed for any cause except upon the verdict of three judges of the Court of General Sessions of the State of Delaware, who have the power to hear and consider any charges placed against the warden.

Despite the fact that this law should improve the administration of the Kent County Jail by providing for the appointment of a warden and the elimination of the fee system of feeding the prisoners, its provisions do not reach far enough. The appointment of the warden by the levy court, and his limited term of office, still leave this officer subject to the influence of county politics, while the institution continues to be hampered by the lack of a trained and adequately paid personnel.

Furthermore, numerous other defects remain completely untouched by the new act. Although the jail has an infirmary, there is no provision for a physician or dentist to visit the institution at regular intervals, and no physical examination is made of new prisoners when they are received at the jail. Unless such persons manifest definite symptoms of a serious nature, no doctor is summoned, and the new arrivals are permitted to mingle with the other prisoners.

No classification of prisoners, other than on the basis of sex and race, has been seriously attempted at the Kent County Jail, and both men and women are lodged in the same building. Untried persons and first offenders are kept together with the hardened prisoners and long-term convicts.

Moreover, no educational program has been introduced and no effort is made to remove the educational handicaps of the prisoners. When the weather is favorable, the prisoners are permitted to use the small recreation yard in the rear of the jail, but such activities have not been organized into a regular program. There is no library, although some reading matter is being circulated among the inmates by business and religious groups in Dover. Religious services are held each Sunday, but no organized religious instruction is given to the prisoners.

Another serious weakness from which the jail suffers is the lack of facilities for the employment of the prisoners. There is no prison farm and, aside from the uncertain and largely seasonal work for male inmates on the farms and in the homes in the neighborhood of the institution, the routine maintenance duties of the jail provide the only other means of employment.

The capacity of the Kent County Jail appears to be quite adequate to care for the county's prison population. The jail's average population for 1941, was about sixty, and on January 1, 1942, sixty-five prisoners were being held there. It has already been explained how the practice of sending Kent County's long-term prisoners to the New Castle County Workhouse has been declining during the past few years. The extent to which this has taken place is indicated by an analysis of the jail's population for January 22, 1942. This shows that of the fifty-nine inmates then in the institution (forty-two of whom were negroes and two of whom were women) seventeen were serving sentences of more than one year.

There is, however, a bright side to this situation. The legislature recently passed several laws that should aid materially in reviving the practice of sending Kent County's long-term prisoners to the New Castle County Workhouse. These laws, approved on April 8, 1941, provide that, whenever it is deemed necessary by the court, prisoners already lodged in the Kent County Jail may be transferred to the New Castle County Workhouse; and that the courts of Kent County, at their discretion, may in the future commit any or all prisoners, sentenced by them, to that institution.<sup>7</sup> These acts thus make the more adequate program of a larger institution available for the county's long-term prisoners, and their passage represents an important step away from the complete county penal system toward which Delaware has been drifting.

The new Sussex County Jail was completed in 1931, in accordance with a law passed in that year by the state legislature. The jail is situated near Georgetown, on what had been the county poor farm, a tract of land of about four hundred acres. The main building, or men's prison, as originally designed, was a brick, two-story structure containing the warden's office, the commissary, four cell blocks, each having eight inside-type cells, one cell block having four inside-type cells, and four dormitories, each with accommodations for sixteen inmates. During 1941, a wing was added to the men's prison, giving

<sup>7</sup> *Laws of the State of Delaware*, Vol. 43, Chs. 213, 215.

the institution two more cell blocks, each having eighteen inside-type cells, another dormitory with accommodations for forty inmates, and an infirmary furnished with twenty-five cots. Each of the jail's cells is equipped with electric light, flush toilet, a wash basin, two wall bunks, one seat and one hinged table. The entire prison, including the infirmary, is capable of housing about three hundred prisoners.

The women's prison, a wooden, two-story structure, is situated not far from the main building and contains separate dormitories for white and colored inmates. There are three other buildings on the prison farm, one of which is the home of the warden.

The Sussex County Jail, which for many years, like the Kent County Jail, had been under the direct supervision of the sheriff, was placed under the authority of a warden by a law enacted in 1935; but this apparent gain was partly nullified by the fact that the warden, who was appointed by the levy court, held office at its pleasure. Since this court's members are elected, each time its political complexion changed, the warden faced possible dismissal. This made a continuity of penal policy difficult and decreased the opportunity that the warden had of acquiring valuable experience and understanding in the performance of his duties.

During the past legislative session, the organization of the Sussex County Jail was strengthened by a law approved on April 21, 1941.<sup>8</sup> By this law, the general management of the Sussex County Jail is entrusted to a board of trustees composed of three persons appointed to serve for three years without pay by the judges of the Superior Court and the Court of General Sessions, residing in Sussex County. The terms of the trustees overlap in such a way that the term of one member of the board expires each year, and at no time, are all the trustees to be of the same political party. The board has full and complete jurisdiction and control over the Sussex County Jail, selecting the warden and other necessary staff members and fixing their salaries. The trustees are obliged, however, to report periodically to the appointing judges and must submit an annual budget to the levy court which provides funds for the support of the institution out of the general county tax levies. Since the Sussex County Jail can obtain almost all its supplies from its own farm, and since no attempt has been made to introduce any of the elements of a modern penal program, its administrators are not confronted with any serious financial problems.

<sup>8</sup> *Laws of the State of Delaware*, Vol. 43, Ch. 217.

In the performance of his duties, the warden is assisted by a deputy warden, a farm superintendent, and ten guards, two of whom are on duty at night. These employees are appointed by the warden, subject to the approval of the levy court, and he is held responsible for their conduct. As in the other two counties, Sussex has made no provision for the training or the pensioning of the guards, and no civil service plan has been devised for their selection.

The enlarged Sussex County Jail, with its accommodations for about three hundred inmates, is much larger than is necessary to house the county's present prison population. The jail's population on January 22, 1942, was only one hundred two, of whom eighty-two were negroes and five were women; and at no time since the institution's enlargement has it had to care for more than one hundred sixty prisoners.

In Sussex County, also, the practice of sending the county's long-term prisoners to the New Castle County Workhouse has been declining during the past few years as a result of agitation for the incarceration of all prisoners in the county's own jail. It was partly because of this pressure that the levy court constructed the recent unnecessary addition to the institution and incurred a financial obligation that has done nothing to advance the penological development of the state. By this act, Sussex County has made another investment in a maximum-security prison, in spite of the fact that Delaware already has more than it needs of this type of penal institution.

Now that this institution has been enlarged, its empty cells are being used illogically as another argument for the housing of all the county's prisoners in Sussex's own jail. To accomplish this, there has been some agitation to make it mandatory, rather than discretionary, for the courts to commit prisoners convicted in Sussex County and sentenced to more than ten years, to the Sussex County Jail. However, these efforts, which would deprive such prisoners of the benefits of the more diversified program in effect at the New Castle County Workhouse, have not yet borne fruit; and, consequently, Sussex County has thus far been prevented from taking the final step in severing herself completely from the rest of the state's penal system.

An examination of the jail's population for January 22, 1942, indicates that Sussex County is once more imprisoning long-term inmates in her own institution. On that date, forty-one of the total one hundred two prisoners were serving sentences of more than one year, four of these being life-termers.

The Sussex County Jail has many defects, most of which are like those existing in the organization of the other penal institutions of the state. At present there is no plan for a doctor to visit the jail at regular intervals, and new prisoners are not given physical examinations before they are lodged with the other inmates. The sexes and races are segregated, and first offenders and those awaiting trial are kept apart from other prisoners, but no other classification has been introduced.

No plan for educating the inmates is being followed, and, without a library, the prisoners must rely on whatever reading material is given them by the citizens of Georgetown. Then, too, religious services are conducted in the jail only on every other Sunday. Furthermore, even though the jail has the distinct advantage of being located on a large farm, thus making possible the employment of an average of almost thirty men throughout the year, no other labor program has been established.

Although the passing of the old buildings "down-state" has meant the improvement in the physical conditions of the jails in Kent and Sussex, and recent legislation has strengthened their organization, nevertheless modern methods have not been introduced into their penal administration. The failure to do this is especially serious since these county jails are once more being used for the incarceration of long-term prisoners. By modern standards of penology, therefore, the new county jails in Kent and Sussex must still be classified as antiquated.

While the New Castle County Workhouse is not so backward as the jails in the lower part of the state, yet it has introduced only the rudiments of a modern prison program. Its administration is still characterized by the lack of a sound prison labor system, an adequate education program and a thorough system of classification, although the establishment of a segregation department for some inmates seems to indicate some recognition of the value of rehabilitation.

No analysis of Delaware's penal institutions would be complete without some reference to the Prisoners' Aid Society, whose work, under the untiring leadership of its executive secretary, Dr. W. A. Vrooman, has been such a potent force for penal reform in the state during the past two decades. Organized in 1920, this society, a private association, has maintained itself since that time entirely by contributions from those interested in Delaware's criminal and penal problems.

One of the chief aims of the organization has been to secure modern penal legislation for Delaware. Toward that end its members have constantly striven and have vigilantly guarded against the passage of laws that might have proved obstacles to penal reform. Furthermore, the Prisoners' Aid Society seeks in every way to encourage prisoners to prepare for release and to help them in their adjustment in the community after discharge.

During 1940, under the direction of its new president, Thomas E. Miller, the society initiated a vigorous movement for the improvement of Delaware's penal system. One of the most important steps in this movement was the appointment of committees to study the prison records being used at the New Castle County Workhouse, so that the society could cooperate with that institution's administration in the establishment of sound classification, education, and labor programs. These studies have been completed and efforts along this line are being continued in the hope that they will be productive of fundamental changes in the state's largest penal institution.

In addition to being greatly hampered by an obsolete county jail system, penal administration in Delaware is further complicated by the state's failure to enact an indeterminate sentence law and by her retention of the whipping post. The absence of an indeterminate sentence law seriously troubles those in the state who are working for the creation of scientific classification and rehabilitation of prisoners. Even if a sound classification of inmates could be introduced, its use in rehabilitation would be seriously curtailed because of the necessity of releasing prisoners in accordance with the definite sentences imposed by the courts. It is true that the rigidity of such sentences is somewhat reduced by the use of "good time rules"<sup>9</sup> in the state's three penal institutions, but at present these rules operate mechanically and are applied in terms of rough evaluations of character made by the wardens and guards.

As a result of her insistence upon applying the lash to her criminals, Delaware has attracted more than her share of unfavorable attention. Subjected to constant criticism, many of Delaware's citizens have grown very suspicious and resentful of the opinions of "reformers," and have developed an extreme sensitiveness that quickly bristles at the mere mention of the "post's" abolition. As some wit has succinctly remarked, the whipping post seems to have become

<sup>9</sup> By these rules a prisoner is released from an institution in accordance with a schedule of reductions in sentences, formulated by the legislature, if the prisoner's conduct is "good" as judged by the warden and his associates.

Delaware's totem pole. Be that as it may, the whipping of prisoners is in the eyes of many an expression of Delaware's right to punish her prisoners as she thinks best. According to this point of view, then, to surrender this right in the face of attack would constitute not only a serious blow to the state's program of crime control, but also a shameful capitulation to Delaware's severest critics. In the tense atmosphere that such an opposition creates, suggestions for changes in penal administration must be made tactfully, and achievements must often come through indirection. Progress in penal reform is thus rendered more difficult.

However, most of Delaware's existing penal problems could be eliminated by the creation of a unified penal policy, which until now has been made impossible by the conflict between the urban north and the rural south. At present, each institution, as we have already pointed out, is an independent entity, uncoordinated with the others, and, therefore, not financially capable of supporting a modern penal program. No one of the three county institutions is organized in precisely the same way as any of the others. The Kent County Jail presents the simplest possible form of penal administration, while the organization of the New Castle County Workhouse most closely approaches modern prison standards. Consequently, although much of the physical equipment of the three prison plants is in good condition and for the most part adequate, there is great need of modernization of administrative policies.

The interests of Delaware would best be served if the state were to assume the responsibility of caring for all offenders and establish a centralized form of penal organization in which the existing county plants would be operated as units in a coherent but flexible system. By such a plan the coordination of industrial activities would be simplified, duplication of investment would be prevented, and proper standards of classification and rehabilitation could be maintained.

If, however, the counties are unwilling to delegate the administration of penal institutions to a state agency or department, they must cooperate in a much more fundamental way than heretofore in their attack upon penal problems. Failure to follow either of these courses of action can mean only an intensification of the problems that are already seriously interfering with the administration of Delaware's penal institutions.