

Throughout her tenure at Bedford, she reached out to centers of learning and research in connection with various educational and occupational training experiments she initiated. In 1909 she assisted a New York Public Education Association psychological testing study at Bedford. The inmate test results indicated a significant number suffered from serious mental problems. This development was contrary to the original scope set for the reformatory.

Bedford was supposed to have been limited to girls and women, 16 to 30 years old, to serve sentences of not less than three years nor more than five years, resulting from convictions for:

*petit larceny, habitual drunkenness, being a common disorderly person [prostitution], of any misdemeanor or felony, other than murder, manslaughter, burglary or arson, and who is not insane, nor mentally or physically incapable of being substantially benefited by the discipline of the institution.*

#### **Advocates Pre-Sentence Evaluations**

In the spring of 1910 Davis detailed for a group of influential visitors from New York City the problems arising from such mentally-incapable women being sentenced to her facility because judges lacked pre-sentencing background research and evaluations. The principle of pre-sentencing evaluation that she advocated is today standard in the courts but was novel back then. She spoke hopefully that:

*The day would come when all cases convicted in the courts would be studied by experts before sentence was passed as a guide to the determination of the proper place of commitment.*

Her bold remarks made a strong impression on the visiting group that included eight members of the Board of City Magistrates headed by William MacAdoo, a future U.S. Senator and seeker of the Presidency, and five members of the Charity Organization Society's criminal courts committee. The society had survived the 1905 death of its founder, Josephine Shaw Lowell. Indeed, its work continues to this day under the name Community Service Society that it and another social agency created through a 1939 merger.

#### **'A Rational Plan'**

Katharine was asked by the visitors to put her ideas in writing. She complied. Thus came about the pamphlet that was to

open a new chapter in her life: *A Rational Plan for the Treatment of Women Convicted in the Courts of New York City*. It was printed by the Charity Organization Society that also circulated copies widely among those connected with the criminal justice system in the city.

Davis' "rational plan" for treating convicted women sweepingly challenged the established ways such cases were being handled in the city. She would abolish the women's departments in the penitentiary and workhouse, make sentences either parole or incarceration but not fines (too often the overhead for continuing in "business"), exclude women from incarceration in the city prison except as detainees awaiting trial, and most importantly establish a pre-sentence research center or clearing house that she called a Criminalistic Institute. It would examine convicted women using the most advanced psychological, sociological and other scientific methods.

The center would make recommendations to sentencing judges as to which women showed most potential to benefit from commitment to the reformatory under indeterminate sentences offering opportunity for early release. It would identify to the court those convicted women with mental problems requiring commitments to institutions intended for just such cases. It also would recommend which women, while not mental cases, showed themselves so hardened as to make confinement to prison for longer terms more appropriate.

While judges and others among the city's justice establishment saw and acknowledged considerable merit in her plan, they also foresaw no way open for public funds to be spent to test it. Nevertheless, once again the Davis determination pushed ahead. She sought and obtained modest grants for further psychological testing of inmates. First Dr. Edith Spaulding, a Mount Holyoke graduate, and later Dr. Jean Weidensall, a Vassar graduate, carried out the tests. As a result, several inmates diagnosed as having mental disorders — the term then was "feeble-minded" — were sent to mental institutions.

### **Her Faith in Science**

However, Katharine also wanted testing that might gauge the rehabilitative potential of the remaining inmates. Such a test or battery of tests had yet to be devised. Having spent 20 years teaching and/or studying science in one form or another, Davis believed that a scientific methodology could be developed to measure an

inmate's prospects for personal reformation. As her father had once used various financial yardsticks to distinguish between the credit worthy and the credit risky, between the insurance worthy and the insurance risky, now Oscar's daughter hunted for scientific yardsticks to distinguish between the reformatory ready and the reformatory risky among the influx of inmates coming from the courts.

The kind of "criminalistic" research institute that she envisioned would require large scale and sustained funding, not the one-shot grants with which she had been working on this line of inquiry. Davis decided to match the boldness of her idea with an equal boldness of action on its behalf. She wrote to John D. Rockefeller Jr., whom she had never met but whom she knew to be interested in combatting prostitution. He had headed a 1909 special grand jury that investigated the vice in New York City. He came away from the probe with a determination to put part of the huge family fortune behind "making warfare on the forces of evil."

John D. Senior was still on the scene in full financial control but left much of the administrative detail work of the Rockefeller philanthropies to his son. By the fall of 1911, the latter formed an intention to found and fund a bureau to research prostitution and its impact on society, particularly on public health. Since so many of Bedford's inmates were serving sentences for prostitution, Rockefeller had written Davis earlier in 1911 for permission to visit the reformatory as his own follow-up on the jury probe. But for some reason, the visit fell through.

In September, Davis initiated renewal of the letter contact, suggesting a broader framework for his interest, enclosing a copy of her "rational plan" pamphlet, and inviting him to see "the beginnings of a scientific study at Bedford." She wrote:

*I believe that we will never come to a successful conclusion as to the best method of dealing with them [prostitutes] until we have, in the first place, made a more careful scientific study of the types of women psychologically and physiologically who enter upon the life of vice and crime.*

Whether it was the copy that accompanied her letter of invitation, or a separate copy that came into his hands earlier from another source, Davis' pamphlet impressed John D. Jr. "So sane, scientific and humane a plan" it seemed to him that he obtained

additional copies and circulated them among various advisors and experts. He visited Bedford, met Davis, was even more impressed with her in person, and began earnest discussions about translating her vision into reality.

### **Havelock Ellis' Endorsement**

Although the world-renowned sexologist Havelock Ellis had written from Britain in praise of her "rational plan," both Davis and the younger Rockefeller recognized that endorsement would carry little weight with the State Legislature whose approval would be necessary to implement the program fully. So, at the request of John D. Jr., Davis redrew her plan, scaling it down to what might be accomplished through a privately-run institute working closely with the state-run institution.

As revised, one aim of the research center would be to develop such convincing scientific data that legislators would not resist implementing the statutory changes required to establish a full-scale criminalistic institute. Once again, Rockefeller Jr. consulted leading figures in various fields; this time about the more modest proposal that, even in its scaled-down version, was a striking departure from conventional penal practice in this country and abroad.

Even more startling was the unusual real estate and legal arrangements under which the program went forward, a public institution/private institute joint social research venture rare of its kind in any era. A legal opinion from the attorney general cleared the way, finding the project permissible provided the reformatory retained responsibility for the inmates' security and maintenance.

As a first step, John D. Jr., Davis, Rockefeller Senior's attorney Starr Jocelyn Murphy, banker Paul Warburg and others founded the Bureau of Social Hygiene in the winter of 1911. In turn, the private Bureau purchased 71 acres adjacent to the reformatory and set up there a Laboratory of Social Hygiene to study prostitutes and other female offenders. An Elizabeth Fry Hall (named after an early prison reformer) was built on the property for testing and classifying all new inmates sent to Bedford. Heredity, environmental, psychological, psychiatric and physical data were studied. Professionals trained and experienced in those disciplines directed the actual scientific work. They were hired as staff by the private research institute that reported its findings to the public institution,

Bedford. The facilities were rented to the state for \$1 a year.

### **A Condition of Acceptance**

Davis, both as superintendent and as a member of the research lab's parent Bureau, headed the joint venture during its first two years of operation. Even during her four years of New York City service, 1914 through 1918, Katharine maintained a continuing relationship with both the Bedford research laboratory and its Bureau sponsor. She had stipulated that as a condition of accepting Mayor Mitchel's appointment as city Correction Commissioner.

Davis' Bedford became a Mecca for professionals in many fields — jurists, penologists, psychologists, psychiatrists, sociologists, social workers, et al — in this country and around the world. They came to see for themselves what was being done at Bedford to learn more about why some women go wrong. They came to witness the efforts being made there to devise a methodology for recognizing rehabilitation potential among the inmates.

A fail-proof battery of tests to predict which inmates would reform and which would not was never found, but eventually the lab evolved into a state-run and state-owned hospital for women inmates found to be “psychopaths.” Having the hospital right there enabled Davis' successors to improve the safety of the other Bedford women by removing from the general inmate population those diagnosed individuals. Often they were ones found most trouble-making inside the reformatory and most menacing when outside in society.

In 1931, Albion reformatory was designated to house such “inmate/patients.” The Bedford laboratory-turned-hospital ceased. But its impact on the development of penology in America and abroad had been profound. Several states and a few countries adopted and adapted various Davis Bedford reforms, including some of the lab's mental health screening, inmate classification and social hygiene techniques. Reports in the newspapers and magazines about the work carried out at the lab helped persuade much of the public to accept, or at least consider, that such “scientific research” into “the criminal mind” might help “combat crime.” This kind of social research, that today is taken for granted, was then being pioneered. Bedford under Davis was in its vanguard.