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Men at Work: How Unfree Labor Mitigated the Labor Shortage in California During World War II

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Abstract Men at Work: How Unfree Labor Mitigated the Labor Shortage in California During World War II

By Shaina Alcheck

During World War II, 16.1 million Americans served in the military. Of this total, approximately 800,000, or roughly 5%, came from California. Additionally, during World War II 90,000 Japanese-Americans residing in California were evicted from their homes and placed into internment camps. The absence of such a large quantity of working-age people from regular economic activities created a significant labor shortage in the State of California. This shortage led to an expansion in the pool of free laborers, most famously in the increased employment of women. However, this paper will examine the less-studied phenomenon of how California employed unfree laborers to mitigate this deficiency, and how said laborers were treated by their governing bodies. It will establish that there were two groups of unfree laborers used to alleviate this labor shortage: Prisoners of War (POWs) and imprisoned convicts. It will also explain the circumstances and reasons why Japanese-American internees were not utilized to mitigate the labor shortage in California, despite their status as unfree. Finally, from its examination of the treatment and practices surrounding the utilization of both groups, this paper will prove that the labor conditions and regulations for the treatment of POWs were more favorable than those for convict labor in the State of California.

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Introduction

During World War II, 16.1 million Americans served in the military. Of this total, approximately 800,000, or roughly 5%, came from California.² Additionally, during World War II 90,000 Japanese-Americans residing in California were evicted from their homes and placed into internment camps.³ The absence of such a large quantity of working-age people from regular economic activities created a significant labor shortage in the State of California. This shortage led to an expansion in the pool of free laborers, most famously in the increased employment of women. However, this paper will examine the less-studied phenomenon of how California employed unfree laborers to mitigate this deficiency, and how said laborers were treated by their governing bodies. It will establish that there were two groups of unfree laborers used to alleviate this labor shortage: Prisoners of War (POWs) and imprisoned convicts. It will also explain the circumstances and reasons why Japanese-American internees were not utilized to mitigate the labor shortage in California, despite their status as unfree. Finally, from its examination of the treatment and practices surrounding the utilization of both groups, this paper will prove that the labor conditions and regulations for the treatment of POWs were more favorable than those for convict labor in the State of California.

The labor shortage brought about by World War II marked a distinct period in the application of unfree labor throughout the United States and specifically in California. In order to mitigate this labor shortage, two unfree groups were employed. The first of these groups was

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¹ "WWII Facts & Figures." (World War II Foundation. June 07, 2018.)

² "California Transformed." (California State Capitol Museum - California State Capitol Museum in Sacramento, California.)

³ Rogers Daniels. "Incarcerating Japanese Americans," (OAH Magazine of History 16, no. 3, 2002) 20

German POWs.⁴ During World War II, approximately 425,000 POWs were brought to the United States.⁵ In August 1942, the United States government agreed to immediately expatriate 50,000 POWs from Great Britain to relieve the overcrowding, and an additional 100,000 men within the next three months. The transfer of these men to the United States began in the fall of 1942.⁶ Then, beginning in the spring of 1943, a wave of newly captured POWs were transferred into the United States.⁷ These new POWs had previously served in Germany's Afrika Korps, which had a reputation of enlisting some of the most devoted Nazis. POWs were imprisoned across the United States and utilized by the government to help mitigate the acute labor shortage caused by World War II. Over the course of the war, POWs were distributed to camps throughout the State of California, the largest of these camps being Camp Cooke in Southern California.

The second type of unfree labor used to ease the labor shortage in the State of California during World War II was convict labor. Prior to the war, labor unions had consistently argued that injecting unfree and governmentally price-controlled labor into the market threatened the jobs and bargaining powers of free unionized workers. However, during the war, such a high percentage of laboring men had either enlisted or were drafted that unions no longer had the capacity to fill many of the needed positions. This led to a dramatic increase in the use of convict labor.

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⁴ While there were some Japanese and Italian POWs brought into the United States, comprised a small percentage of the total POW population, with approximately 50,000 Italians and just 5,000 Japanese prisoners. (Michael Farquhar, "Enemies Among Us: German POWS In America." (The Washington Post. September 10, 1997) Therefore, throughout this paper the term POW is used to refer exclusively to German POWs.

⁵ Antonio Thompson. *Men in German Uniform: POWs in America during World War II.* (Knoxville: University of Tennessee Press, 2016) 1

⁶ David Fiedler. *The Enemy Among Us: POWs in Missouri During World War II.* (University of Missouri Press, 2010.) 11

⁷ Jeffrey E. Geiger, German Prisoners of War at Camp Cooke, California: Personal Accounts of 14 Soldiers, 1944-1946. (Jefferson, N.C: McFarland & Company, 1996), 1

There was a third type of unfree peoples in California during World War II: interned Japanese-Americans. In response to the attack on Pearl Harbor on December 7, 1941, President Roosevelt issued Executive Order 9066 on February 19, 1942. This Executive Order granted authority to the United States Army to forcibly intern Japanese-Americans on the premise of "national security." During the course of World War II, approximately 130,000 persons of Japanese descent, 90,000 of whom had previously lived in California, were interned.8 These interned Americans included many who were not in the work force, such as children and the elderly. More importantly, labor done by interned Japanese Americans in California was not aimed at alleviating the labor shortage in wartime industries or maintaining the economy in the State of California. Rather, the labor Japanese-Americans did in California was almost exclusively related to camp maintenance and the self-sufficiency of the internment program.⁹ Therefore, while the plight and conditions of interned Japanese-Americans during World War II are highly noteworthy and have been explored in detail by numerous other scholars, their discussion in this context will be limited to the administration as it relates to what motivated the exclusion of interned Japanese-Americans from the labor force in California.

This study will examine and compare three aspects of POW and convict life in California: administration, labor, and programming. It will start with the administration both to provide context to the other chapters and to illuminate the priorities of each governing entity. This first section will also include a more detailed explanation of the situation of interned Japanese-Americans and why they will not be addressed in later chapters. The second section

⁸ Rogers Daniels. "Incarcerating Japanese Americans," 20

⁹ United States. War Relocation Authority. Relocation of Japanese Americans. (1943-05. Retrieved from the Digital Public Library of America). Precious Yamaguchi, *Experiences of Japanese American Women during and after World War II: Living in Internment Camps and Rebuilding Life Afterwards*. (Lanham: Lexington Books, 2014) Ch. 6, Roger Daniels. "Incarcerating Japanese Americans," (OAH Magazine of History 16, no. 3, 2002)

will examine the various types of labor performed by each group and disparities between them. The programming assessment will cover areas such as educational and recreational opportunities for each group of unfree laborers. The comparison between these three aspects of unfree workers will show that, despite being alien combatants, the United States government provided better care and treatment for POWs than the State of California did for convicts.

The topics of these chapters were selected as they are the areas of prison life that were the most government regulated. This regulation is essential, as it created archived documentation about the experiences of both convicts and POWs. Sources such as these are critical to understanding both unfree groups, yet the lack of secondary scholarship focusing exclusively on the penal system and the contributions of convict labor during World War II makes this documentation vital to understanding convict labor. Thus far, no archive or historian has written a detailed anthology of convict labor during World War II. Therefore, in order to uncover the experiences of a California inmate during this time, one must rely heavily on sources provided by the State of California.

Scholars have gone to considerable lengths to document the experiences of POWs in the United States during WWII. This chronicling originated with scholars, such as Arnold Krammer, who wrote about the POW experience generally across the nation. However, the most complete source on POWs experiences in California was written by Jeffrey Geiger. Geiger interviewed fourteen German POWs who, at some point during their imprisonment, were confined at Camp Cooke, the largest POW camp in the State of California. He then sifted out the relevant information from these interviews, arranged them thematically, and contextualized them in his book, *German POWs in Camp Cooke, 1944-1946*. Accounts such as these provide detailed

insight into all facets of POW life. However, due to the lack of parallel interest in penal life, this study will focus on government-regulated aspects.

An important factor in the status of unfree labor during World War II is location within the United States, as this is indicative of racial biases and influences. While it would be unrealistic to expect to find a state with no racial biases during this era, convict labor practices in California make it one of the less racially-biased options. Convict labor had commenced in California in 1851, only one year after the state was admitted into the Union. 10 Since this predates the Civil War, it indicates that convict labor was not implemented during Reconstruction in order to further a racial status quo, as was the case in many other states. Additionally, during World War II, one of the state's largest prisons, San Quentin, was finally fully desegregated by Governor Earl Warren, 11 indicating that integration was a priority for the California State Government. Furthermore, when evaluating the labor record from the period before the desegregation, there is no indication that different types of work were designated for people of different races. In fact, when investigating the convict labor camps, none of the records showed that labor camps were assigned by races. This shows a relative lack of racial prejudice that could not have existed in different parts of the United States, namely the South, during this era. Lastly, evidence shows that both the Prison Board of Directors and the Department of Corrections worked to mitigate and eliminate racial discrimination. While racial discrimination was most notable in Folsom Prison, it was absent in California's newest prison, the California Institution for Men.¹² The fact that the prison administration was trying to eliminate racial

¹⁰ Ward M. McAfee, "A History of Convict Labor in California." (Southern California Quarterly 72, no. 1, 1990) 19

¹¹ Administrative Files, Corrections – Institutions – San Quentin State Prison, Earl Warren Papers, folder F3640, California State Archives, Sacramento

¹² "Final Report of Governor's Investigation Committee on Penal Affairs" [ca. 1944], call number 000554543, California State Library, Sacramento

discrimination within the penal system further indicates a progressiveness that was rarely apparent, if at all, in other parts of the United States. This not only indicates the uniqueness of the penal system in the State of California but also makes it a more ideal location to examine how World War II alone influenced convict labor practices, as these practices were less influenced by unequal racial treatment in California.



(Note both that C.I.M. was receiving inmates of different races together and that these inmates were not being segregated at San Quentin.)¹³

In addition to contributing to labor and wartime history, this study can illuminate acceptable labor practices for unfree laborers during wartime. This comparison is both between soldiers and criminals as well as between citizens and non-citizens. Additionally, this era of convict labor has not been adequately analyzed, which this study rectifies. This shortcoming is

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¹³ Don Chaddock, "Unlocking History: Explore San Quentin, the State's Oldest Prison." (Inside CDCR. 2014)

especially notable when considering the contemporary debates surrounding the continued utilization of California's convict fire-fighting program. Moreover, the ways in which World War II contributed meaningful changes to the California penal administration are an understudied yet important part of the history of the State of California.

Chapter 1: Governing Unfree Labor: Administrations and Motivations

It is evident that neither the United States Army nor the California penal system were adequately prepared for the pressures that would be placed upon them during World War II. Yet, following President Franklin D. Roosevelt's appeal to Congress to declare war on Japan on December 8, 1941, 14 both administrations were thrust into a dramatic increase in activity. Both organizations had access to unfree manpower to help alleviate the wartime labor shortage, and were therefore called upon to generate said workforce to meet the nation's wartime and domestic needs. Beyond this, each entity remained responsible for its primary mission, which included the provision of necessities for and management of a substantial number of incarcerated people. How did each administration tackle this challenge? And what, aside from the production of labor, motivated their decisions? This chapter will examine the history and organization of each administration. It will focus on each program's objectives, motivations, and accountability. Following a careful examination of these factors, it becomes clear that while there were both causes and incentives for treating POWs well, no such benefits existed for raising the quality of convict treatment to a comparable standard. These motivating factors significantly contributed to the fact that, overall, POWs were treated materially better than convicts.

When examining the history of POW policy in the United States from the Revolutionary War through the Korean War, Elizabeth Grimm Arsenault concludes there was "a clear U.S. effort to codify laws of war that emphasize the humanity of the enemy and the justice necessary in wartime to respect this ideal." This standard was maintained by the United States through

¹⁴ "Day of Infamy" Speech by Franklin D. Roosevelt, (United States Senate. 1941)

¹⁵ Elizabeth Grimm Arsenault. "History of POW Treatment in the United States: From the Revolutionary War to the Korean War." (In How the Gloves Came Off: Lawyers, Policy Makers, and Norms in the Debate on Torture, 31-56. New York: Columbia University Press, 2017). 33

both world wars. During World War I, the international standards were derived from both the 1906 Geneva Convention and the 1907 Hague Convention. The principal guiding clause came from the Hague Convention, which demanded the "humane" treatment of POWs. However, due to the fact that not every combatant party in World War I was a signatory to these documents, the United States claimed that they did not apply. Yet, the history of reasonable treatment of POWs continued, and Arsenault found that POWs were still treated as though these international standards were in effect.¹⁶

During World War I, the United States domestically interned fewer than 2,000 POWs.¹⁷ In 1917, there were only four POW camps on U.S. soil: Fort Oglethorpe, Georgia; Fort McPherson, Georgia; Fort Douglas, Utah; and Hot Springs, North Carolina.¹⁸ Once transferred to domestic camps, POWs were severely mismanaged by the United States. This was due to economic and logistical complications rather than malice.¹⁹ POWs kept in these camps were utilized for labor such as road construction and quarrying.²⁰ While small in scale, this operation would come to serve as the basis for the POW program during World War II.

Since the initial organization of the POW program during World War II was based on the fewer POWs kept domestically during World War I, changes in the administration were required to meet the significantly greater demands of the World War II POW program. These increased demands meant that the domestic POW program had to be completely restructured between 1941 and 1943. As compared to the four camps which existed during World War I, there would come to be more than 500 POW camps in the United States during World War II.²¹ At the beginning of

¹⁶ *Ibid.*, 43-44

¹⁷ Thompson. Men in German Uniform 133

¹⁸ Susan Copeland. "Foreign Prisoners of War." (New Georgia Encyclopedia. June 06, 2017)

¹⁹ Arsenault, "History of POW Treatment in the United States" 44

²⁰ Copeland. "Foreign Prisoners of War."

²¹ Farquhar. "Enemies Among Us: German POWS In America."

the war, the Office of the Provost Marshal General (PMGO) was responsible for the interned POWs. The PMGO was assisted by the Military Police Corps (MPC), the War Department's Personnel Division (G-1), and the office of the Judge Advocate General. However, in the spring of 1942, the War Department created the Army Service Forces (ASF), which came to control the vast majority of all the agencies responsible for the POW program. This decision created bureaucratic overlap between the ASF, G-1, and the PGMO and eventually contributed to the restructuring of the PMGO. The PMGO was officially designated as subordinate to the ASF, thus remedying this bureaucratic overlap. Additionally, in 1943, the Department of Justice claimed responsibility for all civilian internees,²² allowing the PMGO to focus its efforts exclusively to the POW program. For the remainder of the war, these organizations and offices determined and disseminated the official United States policies for the POW program.²³

Before any POWs actually arrived in the United States, security was a paramount concern. Fears of POWs escaping their camps and terrorizing the United States led to the institution of extremely strict security protocols. Additionally, security was a determining factor when deciding the location of the camps. For security purposes, POW camps in states with large metropolitan areas were limited. Additionally, camps were initially required to be kept at least 40 miles from "installations vital to the war effort," 120 miles inland, and 150 miles from both the Canadian and Mexican borders.²⁴ In application, this meant that at the beginning of the program, most POW camps were located in the South and West. However, as the POWs settled into these camps, the administration found they did not need such intensive regulations. After being

²² During World War II, the United States government interned not only Japanese-Americans, but on a smaller scale Americans or immigrants with German or Italian ancestry. For more information on this program, read this overview: "World War II Enemy Alien Control Program Overview." (National Archives and Records Administration.)

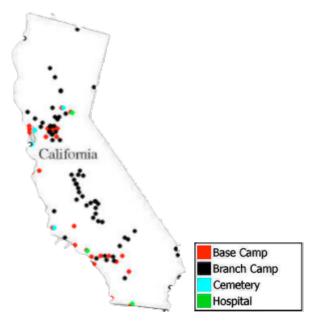
²³ Thompson. Men in German Uniform, 3-4

²⁴ *Ibid.*, 9

transported across the Atlantic Ocean and then the vast United States, POWs quickly became convinced that they could not escape. Furthermore, these POWs generally spoke limited English and did not know anyone domestically, and therefore had nowhere to run within an attainable distance even if they were to escape. In addition to official records documenting very low escape percentages, the following three narratives highlight the POW frame of mind. In one instance, a POW recalls that even though he and the other POWs would occasionally fool around, there was an "unwritten law" among them not to make the lives of the guards difficult.²⁵ In another instance, German POW Werner Blanck recalls running away, but he then turned himself back in once he was out of money and had nowhere to go. 26 Lastly, POW Georg Kroemer remembered a time where his guard left his weapon unattended, and did not notice until they had returned to camp. However, Kroemer had grabbed the weapon and, rather than keeping it, returned it to the guard (much to the guard's relief).²⁷ These three examples indicate that, as the program progressed, both the guards and the POWs became increasingly less preoccupied with security and the idea of escape. This apparent mentality of POWs led to the repeal of many of the initial security measures, especially as the states' need for POW labor increased.

Geiger, German Prisoners of War at Camp Cooke, 89
 Ibid., 127

²⁷ *Ibid.*, 86



Locations of POW Camps in California²⁸

The most noticeable change in United States policy regarding POWs between World War I and World War II was the decision to adhere rigorously to international codes. During World War II, the United States allowed the 1929 Geneva Convention to shape all aspects of the POW program. The first several articles of the convention state that POWs must receive respectful and humane treatment without providing concrete definitions. Articles 5-8 cover the capture and evacuation of POWs, but not in detail. However, it is articles 9-34 that determined the lives of these POWs once they reached the United States. Articles 9-24 outlined the routines and standards of living of the POWs. The Geneva Convention mandated that the government of the captors was required to provide POWs with both accommodations and food equivalent to what they provided their own soldiers. POWs were also guaranteed access to a canteen, medical facilities, and the chance to practice their respective religions. Beyond these requirements, captors were required to encourage academic and recreational programming for their captives. It

²⁸ Kathy Kirkpatrick. "A Brief Timeline of U.S. Policy on Immigration and Naturalization."

is the later articles, articles 27-34, which defined the POW labor program. These articles allowed for the utilization of POWs for labor, but contained labor exemptions officers and limited the use of non-commissioned officers (NCO's). Additionally, the work had to be safe and, importantly, not war-related. POWs were also entitled to moderate working days and a full day of rest weekly. Lastly, POWs were entitled to a minimum wage for their labor, which would be put into trusts for them upon their release.²⁹

But why follow the Geneva Convention so strictly? The answer is reciprocity. Reciprocity is the principle that if the United States Army treated the German POWs well, then Germany would in return treat American soldiers who had been captured in Europe well. The American government was highly aware of the fact that the Geneva Convention provided POWs access to international aid organizations, such as the Red Cross, which would then report on the treatment of POWs to their native countries. This created accountability for the ASF, thus leading to the strict adherence to the Geneva Convention. The reciprocity strategy worked to a certain extent, and was reflected in the treatment of American POWs in Germany.³⁰

However, even after learning that American G.I.'s were not being treated as well as the United States administration was treating German soldiers, the ASF and other governing offices decided to continue its high standard of treatment of POWs. This strategy was adopted for two primary reasons. First, this quality of treatment created positive opinions of the United States amongst these POWs. The Army hoped that this would shape these POWs' post-war views of the United States, which would in turn positively influence perceptions of the United States in postwar Germany. The second reason these standards of treatment were maintained was so that German soldiers in the European theatre would be more likely to surrender, as they knew they

³⁰ Thompson. Men in German Uniform, 63

²⁹ "Convention relative to the Treatment of Prisoners of War" (Geneva, 27 July 1929.)

would be treated fairly. This policy was reported to be effective and likely saved countless American lives.³¹ According to one article, there was "evidence that our surrender propaganda, dropped from the skies, has fallen on more willing ears because of our [American] liberal interpretation of the terms of the Geneva Convention."32 While it is difficult to accurately gauge the effectiveness of this policy, its pervasiveness in the public consciousness is important as it further enabled the ASF and other governing bodies to continue the good treatment of POWs in the face of national rationing and rising anti-Nazi sentiments.

Like the initial POW program, the administration of the Japanese-American internment program was driven by perceived security risks. However, unlike POWs, Japanese-Americans continued to be seen as a higher security risk. As a result, interned Japanese-Americans were not employed in California in order to alleviate the labor shortage. On February 19, 1942, President Franklin D. Roosevelt issued Executive Order 9066, which provided the basis for the creation of "relocation centers" for those deemed to be "enemy aliens." This Executive Order gave the Secretary of War and those he designated the authority to remove "any or all persons" from defined exclusion areas. The Executive Order also stipulated that those facing relocation be provided "transportation, food, shelter, and other accommodations as may be necessary." 33 While the language in Executive Order 9066 did not specify any race or nationality, it would come to focus primarily on the internment of Japanese-Americans. While approximately 2,300 German-Americans and a few hundred Italian-Americans would be held in captivity for a short time, 130,000 Japanese-Americans would be interned by the United States government. This Executive Order deferred largely to the military, and provided minimal accommodations to those

³¹ *Ibid.*, 63

³² *Ibid.*, 63 (footnote 45) ³³ Executive Order. No. 9066, 1942.

being relocated, in the name of "national security." This concept of national security would be the most determinative factor guiding the internment of Japanese-Americans.

There is no evidence the government was prepared to take on the relocation, housing, guarding, and feeding of these internees.³⁴ However, almost immediately after the Executive Order was issued, the government began to create and enforce policies to uphold it. On March 18, 1942, President Roosevelt created the War Relocation Authority to oversee the camps.³⁵ Even so, the military remained in charge of the relocation process and the security of the camps. On March 26, 1942,³⁶ the military began to issue Civilian Exclusion Orders, which mandated that Japanese immigrants and Japanese-Americans from the entire State of California, the western halves of Oregon and Washington, and a part of Arizona, be transported to one of ten relocation camps across the nation.

There were two "relocation camps" physically located in the State of California, Manzanar and Tule Lake. The first of these camps, called the Manzanar War Relocation Center, was the first operational camp for those interned by Executive Order 9066. This center opened in March of 1942 and would hold approximately 10,000 individuals throughout the duration of the war.³⁷ Manzanar was a relatively standard camp, meaning that it was heavily guarded by U.S. military forces. Internees at this camp produced labor within the camp, such as working in the mess hall, on-site hospital, or barber shop, in order to make the relocation camp program self-sufficient.³⁸ However, they did not engage in any labor, either within or outside of the camp

³⁴ Rogers Daniels. "Incarcerating Japanese Americans" 20

³⁵ White, Ben. "FDR Sets up War Relocation Authority, March 18, 1942." (POLITICO. March 18, 2018.)

³⁶ Rogers Daniels. "Incarcerating Japanese Americans" 21

³⁷ The Editors of Encyclopaedia Britannica, "Manzanar War Relocation Center." (Encyclopædia Britannica. 2015), "Manzanar." (Minidoka | Densho Encyclopedia.), "Japanese Americans at Manzanar." (National Parks Service. 2015)

³⁸ United States War Relocation Authority, "Relocation of Japanese Americans," (1943), 8

facilities, that produced external economic contributions either to California's economy or to the war effort. The second camp, Tule Lake, started as a regular camp, but in 1943 it was turned into a "Segregation Camp," which was a camp for those who refused to unequivocally sign a loyalty statement to the United States.³⁹ These individuals were the least likely of any internees to be participating even in labor to keep the camp self-sufficient, let alone labor that would help mitigate the labor shortage.

While a small percentage of Japanese Americans did leave the internment camps to do labor, they were sent to states such as Eastern Oregon, Utah, Montana and Idaho to work, rather than being employed in the State of California. This was the direct result of the majority of California being deemed an "exclusion zone" (indicated on the map below in red), meaning that Japanese-Americans were prohibited from residing or working there. However, the relocation of some Japanese-Americans to other states to conduct labor which may have contributed to the external economy places that labor and the treatment of said laborers outside the scope of this study.

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³⁹ "Tule Lake." (Minidoka | Densho Encyclopedia.) Taylor Weik. "Behind Barbed Wire: Remembering America's Largest Internment Camp." (NBCNews.com. 2016)

⁴⁰ War Relocation Authority. "Second Quarterly Report." (Truman Library), 11



(Red indicates exclusion zone, black dots indicate assembly centers, blue dots indicate relocation camps)⁴¹

While the federal government had to essentially create two new systems of internment at the beginning of the war, both the California penal system and the use of convict labor had their roots in the foundation of the state. On April 25, 1851, the same year the state was admitted to the Union, the California State Legislature passed a bill funding the construction of San Quentin, the state's first prison. This prison became operational in 1854. Then, in 1868, the Board of Prison Directors selected Folsom as the site for a branch prison of San Quentin. However, this prison did not open until 1880. These were the two state prisons for men until 1941, when the California Institution for Men was opened in Southern California, coincidentally shortly before the United States entered World War II.

The same bill in 1851 which funded the creation of San Quentin also allowed for the leasing of convicts to private citizens. This leasing system introduced a new type of state-

⁴¹ "Internment." (In Time and Place. 2008.)

sanctioned labor into the market, and thus led to the first notable protest by labor unions against convict labor in 1857. Labor unions were concerned that the injection of government-controlled labor into the market would interfere with the ability of free laborers to obtain work. The economic depression of the 1870's furthered these concerns against convict labor. These additional protests against convict labor led to an increase in the wages leasers had to pay for convict labor. In 1879, California became the first state to abolish the contract system of convict labor. However, this abolition unintentionally stimulated the growth of the prison labor industry, as the state did not face the same limitations as private contractors. The most notable example of this change was the implementation of the jute mill in San Quentin, which produced cheap grain bags for California farmers. This increase was opposed by many free laborers and led to policy changes which limited access of convict-made goods to the free market.⁴²

The next significant change to convict labor in California occurred in 1913, when San Quentin began utilizing convict labor to construct roads. These "honor camps" were only for prisoners not deemed to be a flight risk, and convicts working received one day off their sentences for every two days worked.⁴³ This system mirrored Oregon's program, which successfully employed approximately half of that state's convicts to work on highways. The use of highway camps peaked in the 1920's. However, the Great Depression led to another significant decrease in convict labor. Despite this decrease, a study conducted in 1937 found these honor camps to be "the most meaningful inmate rehabilitation program ever undertaken in California." Even so, the decline in utilization caused by the national economic depression led to both an absence of meaningful activity for convicts and the desire of wardens to fill the time. One example of a warden specifically attempting to limit this inactivity was when Warden

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⁴² McAfee, "A History of Convict Labor in California." 23-24

⁴³ *Ibid*., 27

⁴⁴ *Ibid.*, 29

Clinton Duffy of San Quentin advocated for, and therefore contributed to the passage of, a bill in the State Legislature on May 28, 1941 which allowed convicts to sell handmade artifacts at San Quentin. The bombing of Pearl Harbor in December of that year presented an opportunity to reenergize the convict labor program.

When the United States formally entered World War II, California had three central state prisons: The newly-constructed California Institution for Men, Folsom Prison, and San Quentin. The California Institution for Men (C.I.M.), located in San Bernardino (near Los Angeles) was the first minimum security prison in California. Dedicated on June 21, 1941, ⁴⁶ the prison quickly assumed responsibility for the administration of labor camps in Southern California, which had previously been facilitated by the other two prisons. ⁴⁷ The experimental new C.I.M. was designed for prisoners who had the highest potential for rehabilitation and the lowest risk of escape. As a result, the conditions at C.I.M., while significant, were not extended to the men in the other two prisons. Therefore, the penal system in California at the start of World War II is more accurately exemplified by Folsom Prison and San Quentin Prison. By the start of the war, Folsom Prison was known as a grim place for repeat and problematic offenders. San Quentin, the oldest prison in the State of California, was the only state prison which administered the death penalty, but otherwise, was a penitentiary for mid-level offenders.

⁴⁵ *Ibid.*, 29-30

⁴⁶ "Facility Overview California Institution for Men (CIM): Details & History."(California Department of Corrections and Rehabilitation.)

⁴⁷ "INSTITUTIONS-CALIFORNIA INSTITUTION FOR MEN, CHINO, (CIM). 1941-1948" [ca. 1948], Department of Corrections Records, folder F3717, California State Archives, Sacramento

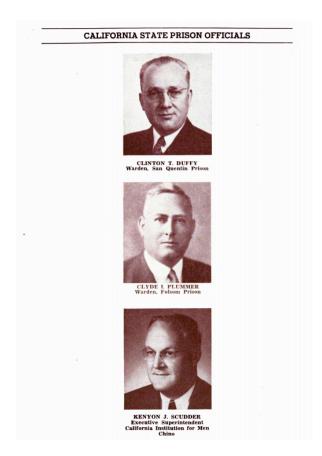


(Locations of California State Prisons for Men Relative to Major Cities)

Before the start of World War II, the California penal system was managed by the California Prison Board of Directors. This board, "under the State Constitution, comprises five non-salaried members, appointed by the Governor for terms of 10 years each, with the advice and consent of the State Senate." The California Prison Board of Directors had to approve any major changes, such as the 1940 closing of the San Quentin sublevel solitary confinement area known as the "dungeon". However, each of the three operational prisons for men in California ran relatively independently of the others. Wardens were autonomous and allowed to run their

⁴⁸ California. State Board of Prison Directors. "Biennial Report of the Board of Prison Directors: for the Ninety-Second and Ninety-Third Fiscal Years". (Sacramento. 1942)

institutions in whichever way they felt was best. 49 In 1941, these men (all wardens during this period were men) were Warden Clinton T. Duffy of San Quentin, Warden Clyde L. Plummer of Folsom Prison, and Executive Superintendent Kenyon J. Scudder of the California Institution for Men. The start of World War II did not dramatically alter the degree of autonomy that each warden had. Once the war began, each institution reported its methods and production rates to the federal Prison War Program Branch. Yet, the individual warden maintained his significant degree of freedom in how he chose to direct his institution's facilities, labor camps, and management. This system was disorganized, which contributed to inefficiencies, escapes, and mismanagement.



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⁴⁹ Clinton T. Duffy and Dean Southern Jennings. *The San Quentin Story, as Told to Dean Jennings*. (Garden City, NY: Doubleday, 1950.)
50 State Board of Prison Directors. "Biennial Report of the Board of Prison Directors" 11

The impetus behind the increase in convict labor was the labor shortage throughout the United States that accompanied the start of World War II. With a significant percentage of the free population fighting in either the European or Pacific theatres and the growing demands for industrial and agricultural labor, there was a substantial increase in the number of jobs available in California. Approximately half a million white workers from the southeast and a third of a million African Americans from the south came to California to fill this gap. Even so, in 1944 the unemployment rate was less than 1%, indicating that work was available for "anyone who wanted a job." Yet, there was still work to be done, indicating the need for prison labor to fill this gap. As a result, the earlier arguments opposing the use of prison labor, namely its interference with the free labor market, temporarily dissipated. This abrupt change resulting from the country's need for labor allowed prison administrations to address two key issues, prisoner idleness and rehabilitation, by substantially increasing the opportunities to implement prison labor. These objectives were only furthered by the fact that there were little to no governmental or legal restrictions on the types of work convicts could perform.

The first primary motivation for the use of convict labor from the standpoint of the California penal administrators was that it alleviated a problem known as prisoner idleness. Prisoner idleness was the expectation that if prisoners were not involved in a prison-sanctioned organized activity, they would engage in troublesome behavior, such as violence and escape plots. Preventing convict idleness had been a key motivator of the penal system since at least 1930, when the California Taxpayers' Association proclaimed a "war on convict idleness." Yet, this charge was made during the Great Depression, when jobs were far scarcer, and was therefore considerably less fruitful than its proponents had hoped. The failure of this "war" is

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⁵¹ Fred Glass, "California Labor History: Arsenal of Democracy: Fighting Racism in Bay Area Shipyards during WW II." (California Labor Federation. 2016)

⁵² McAfee, "A History of Convict Labor in California." 28

evident by the fact that prior to the war, officials noted "appalling"⁵³ levels of idleness. However, according to sources from the office of the Governor and documentation from each prison, the increase in the use of prison labor after Pearl Harbor led to a significant decrease in idleness, both because inmates were assigned to more work details and inmates were volunteering to do extra work in order to support the popular war effort.

The second objective of the prison system in California was rehabilitation. This goal was true before the start of the war, as state officials found that a sense of "usefulness" positively benefited inmates. However, once the war began, state officials noticed that war-related labor was notably more rehabilitative than other, less "meaningful" labor. These findings were very often used by administrators to support additional increases in convict labor. Furthermore, the rehabilitative aspirations of the penal system were well known to the inmates, thus influencing their own perceptions of the purpose of both their incarceration and their labor. While the "actual" purpose of prison has been and continues to be debated by historians and sociologists, the stated rationale behind actions taken by the penal administration in the State of California and the ways in which inmates interacted with them are significant metrics of the success of the convict labor program during World War II.

The dramatic increase in the need for prison labor during World War II meant that far more prisoners were sent outside the walls of their institutions. It soon became evident that economic need was prioritized over security concerns. One of the best examples of sacrificing proper security for the demand for labor occurred in San Quentin Prison. One night early in the war, the U.S. Forest Service called Warden Clinton T. Duffy, begging for assistance from inmates to help fight a nearby forest fire. Duffy recalls the incident, saying "I told them [the

⁵³ *Ibid.*, 29 (footnote 32)

⁵⁴ *Ibid.*, 28

⁵⁵ *Ibid.*, 30

inmates] it would be dangerous work, that they would have but few guards – this was during the war - and that I counted on them not to let San Quentin down. Hundreds offered to go...many of those men had not been outside the walls for years; many others had no hope for early parole."⁵⁶ This unexceptional instance highlights the fact that in the face of need, wardens gave a nearly unprecedented amount of trust to a far broader group of convicted felons.

While Duffy's story may seem unsettling, it actually ends not only with the men successfully completing the job, but with all of them returning.⁵⁷ Both this instance and the outcome were not anomalous. Throughout the State of California, the percentage of escapes per labor camp did not significantly increase, despite the growth of the convict laborer program. Anecdotes such as Duffy's, as well as supporting statistics from across the state, help explain why security was not a driving concern in convict-labor policy. This lack of an increase in the percentage of convicts escaping from each labor camp can be explained by human rationality, a sense of patriotic duty, and eventually improved government management. Convicts were presented with the opportunity to work not only to make money but also in exchange for earlier release at a rate of two days of labor to one day off their sentences. However, if they attempted to escape they would not only be wanted men for the duration of their lives but also receive further punishment if recaptured. This seemingly rational choice was coupled with the rise of patriotism in these prisons. This patriotism is evident by convicts volunteering to perform labor beyond what was required of them, the donation of their wages to the war effort, and articles in prison newspapers. In one editorial, an inmate wrote that those being sent to harvestry camps looked at the opportunity as a "chance to prove themselves." Moreover, in another article an inmate

⁵⁶ Duffy and Jennings. *The San Quentin Story*. 203

⁵⁷ Ibid 204

⁵⁸ "Folsom Observer, October 16, 1942," [ca. 1942], call number 000578473, California State Library, Sacramento, 1

complains that those with life sentences have been "overlooked" for labor opportunities.⁵⁹ Lastly, towards the end of the war, the Department of Corrections instituted several policies meant to deter convicts from escaping. In addition to standardizing the qualifications for convicts being sent out on labor assignments, they also created a system of communal punishment for those who remained when one of their fellow prisoners escaped.⁶⁰ These later actions taken by the Department of Corrections are clear ramifications of the expanded nature of the prison labor program during World War II.

Administrators in the California State Government knew that the state's decentralized penal administration system was inefficient for several years before the start of the war. Reports as early as 1934 recommended reorganizing the California system under a single administration. However, these recommendations did not generate public pressure, meaning that prior to World War II, the Prison Board of Directors was able to deflect any efforts towards reorganization. Of course, the preexisting flaws of this system were exacerbated by the changes resulting from the start of the war, namely the significant expansion of the convict labor program. These issues were brought to the forefront of public attention in November 1943 with the highly publicized and embarrassing escape of the "Yacht Bandit," Lloyd Sampsell, a notorious bank robber who was known for evading police on his yacht. Sampsell, who was serving a life sentence, was recaptured in San Francisco while visiting a lady friend. Upon his arrest, Sampsell admitted to being interned at an offsite Folsom Prison facility in Yolo County,

⁵⁹ "Folsom Observer, October 9, 1942", [ca. 1942], call number 000578473, California State Library, Sacramento, 2

⁶⁰ California. *Prison Road Camps*. (Sacramento, Calif.: Dept. Division of Highways., 1950.) 16

⁶¹ "Final Report of Governor's Investigation Committee on Penal Affairs" 8

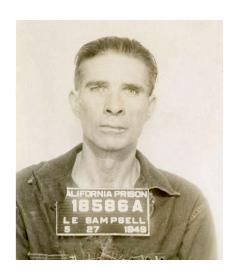
⁶² Kenneth Church Lamott. *Chronicles of San Quentin*. (New York: D. McKay Co. 1961) 247

but since he enjoyed "unusual privileges," he had been allowed to leave. 63 While this was not the only incident, it was by far the most publicized, thus prompting both the resignation of Warden Plummer on December 10, 1943⁶⁴ and an investigation into the administrations at all three California prisons for men by a specialized committee appointed by Governor Earl Warren. In fact, the report presented to the Governor noted that, "it was the loose operation of the Straloch Harvest Camp which drew the attention of the Governor and the public to the condition of penal affairs in the State of California."65 This committee, like others before it, found that "until these several independent systems are supplanted by one administrative department, there is no hope for a proper business administration or an adequate program of custodial care and supervision."66 However, the increase in both the quantity and variety of convict-labor activities induced by the start of war meant that the 1943 report had much more to assess than previous reports. Upon examination, the committee noted the disorganization of the convict labor program, namely with regards to the various labor camps. This incident brought the inadequacy of the penal system to the attention of the average California, thus applying pressure on the Governor to reorganize the prison administration.

⁶³ Don Chaddock, "Unlocking History: 1940s Scandal of 'Yacht Bandit' Helped Shape Today's CDCR." (Inside CDCR. December 29, 2014)

⁶⁴ Michael D. Brown. *History of Folsom Prison, 1878-1978*. (Folsom, CA: Folsom Graphic Arts, 1978.) Ch. 7

^{65 &}quot;Final Report of Governor's Investigation Committee on Penal Affairs" 17 66 "Ibid.. 7



Lloyd Sampsell, otherwise known as "The Yacht Bandit" was paroled in 1947, only to be arrested in 1948 for a bank robbery that turned deadly. Sampsell was sentenced to death and executed in 1952.⁶⁷

Thus, on May 1, 1944, Governor Earl Warren had both the motivation and the opportunity to unify the California prison system under a single administration known as the California Department of Corrections.⁶⁸ This centralized administration immediately faced bureaucratic challenges, namely remedying the disorganization within each prison. Yet, despite this administrative shift, the newly created Department of Corrections did not significantly alter the core motivations of the California penal system during the war. Therefore, one can conclude that while the organization of the California penal system underwent noteworthy changes during World War II, the stimuli and rationale behind the increase of prison labor that existed at the start of World War II were not substantially altered by this reorganization

One factor that did significantly impact all three groups of unfree peoples was public opinion and pressure. While the work of both POWs and inmates obtained the public's support, intense anti-Japanese sentiments and concerns negatively impacted the employability of interned Japanese-Americans. While at first POWs were not looked upon favorably, as time passed they

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⁶⁷ Chaddock, "Unlocking History: 1940s Scandal of 'Yacht Bandit' Helped Shape Today's CDCR."

came to build meaningful relationships with their Californian employers and other citizens.⁶⁹ Leonhard Reul, a POW at Camp Cooke, recalls that the farmer he worked for was "intrigued" and even "sympathetic" to his situation.⁷⁰ Convicts also faced initial public distrust. However, after conducting helpful agricultural labor and life-saving fire-fighting operations, citizens showed them gratitude.⁷¹ In one instance, a forest ranger told a group of fire-fighting convicts "You fellows are as grand a group of men, and fire-fighters, as any I've met or worked with in my twenty one years as a forest ranger!"⁷²

Yet, anti-Japanese sentiments in California raged both before and throughout the war. These anti-Japanese sentiments were evident in California as early as 1900, when the state decided to extend the Chinese-Exclusion Act to Japanese immigrants. This agitation against Japanese immigrants came to be manifested in the passage of the Alien Land Law in 1913. This law "denies to aliens ineligible for citizenship the right to own, lease, or otherwise enjoy land, except to the extent provided by treaty." While neutral on its face, historians generally agree that the purpose of this law was to "discourage further immigration of Japanese aliens to California and to call to the attention of Congress and the rest of the country the desire of California that the "Japanese menace" be crushed." These sentiments persisted throughout the decades preceding World War II. Just prior to World War II, fear of Imperial Japanese movements in the Pacific and media incitement against the Japanese were so prevalent that in

⁶⁹ Geiger, German Prisoners of War at Camp Cooke, 89-96

⁷⁰ *Ibid.*, 89-90

⁷¹ "Folsom Observer, Vol. 2 No. 5, Friday October 23, 1942, Vol. 3 No. 14, Friday August 13, 1943, Vol. 3 No. 16, Friday August 27, 1943", call number 000578473, California State Library, Sacramento

⁷² "Folsom Observer Vol. 3 No. 14, Friday August 13, 1943", [ca. 1943], call number 000578473, California State Library, Sacramento

⁷³ Edwin E. Ferguson, The California Alien Land Law and the Fourteenth Amendment, 35 Calif. L. Rev.

^{61 (1947). 64 &}lt;sup>74</sup> *Ibid.*, 61

⁷⁵ *Ibid.*, 62

1941 the Fair Play Committee, a group dedicated to fighting anti-Japanese views, was formed by California activists. ⁷⁶ However, the dissenting opinion of the Fair Play Committee represented a very small minority. In fact, the federal government faced "escalating demands of the press, politicians, some army and navy officials, and the general public for harsher treatment of Japanese Americans." Therefore, the public opinion is better exemplified by Earl Warren. While serving as the Attorney General for the State of California in 1942, Warren was also "California's most prominent advocate of Japanese American wartime internment." After Executive Order 9066 was issued, Warren would give arguably the most influential testimony in favor of internment in front of the House Select Committee Investigating National Defense Migration. Additionally, Warren's involvement and emphasis on the security need of relocation gave the resultant government actions significant credibility against claims of racism, as Warren was a well-known for fighting bigotry. After giving this testimony, Warren was elected Governor in 1943, which highlights the breadth of public support his views had.

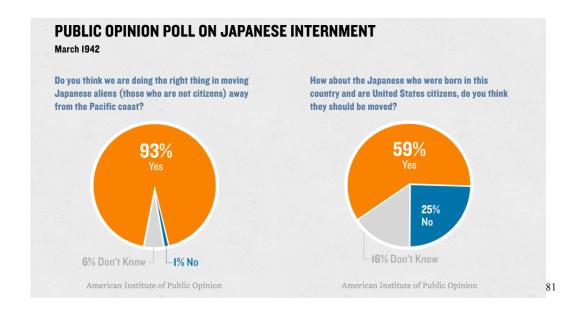
⁷⁶ Charles Wollenberg, ""Dear Earl" The Fair Play Committee, Earl Warren, and Japanese Internment." (*California History* 89, no. 4, 2012) 26-27

⁷⁷ Rogers Daniels. "Incarcerating Japanese Americans" 20

⁷⁸ Wollenberg, ""Dear Earl"" 26

⁷⁹ *Ibid.*, 29

⁸⁰ *Ibid.*, 28



PUBLIC OPINION NEWS SERVICE

For Release Friday, December 12, 1941

Public Found Taking Realistic Attitude on Japanese-American Relations

Evidence Indicates Voters
Wanted Stronger U.S. Policy
At Least Two Years Ago

By GEORGE GALLUP
Director, American Institute of Public Opinion

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Obviously, the governing bodies of the POW, California's inmates, and interned Japanese-Americans systems had different responsibilities and faced very different pressures. While both the federal government and the state economy could have benefited from the employment of interned Japanese-Americans, security risks and societal rejection inhibited their ability to do so. Yet, the federal government profited not only from the employment of POWs,

⁸¹ "Americans and the Holocaust." United States Holocaust Memorial Museum.

⁸² Gallup, Inc. "Post Pearl Harbor (Trends)." Gallup.com. December 12, 1941.

but also from mandating a high standard of treatment for them. However, neither the State of California nor the federally-managed Prison War Program Branch benefited as directly from the positive treatment of convicts. The largest value that incarcerated convicts provided the United States during World War II was their labor. Furthermore, while the negative repercussions for overworking POWs far outweighed the marginal gains from their labor, there were positive consequences in allowing convicts to overwork. This was especially evident in California, where reports note that convicts were not given reprieve from their regular work shifts in order to learn the skills necessary to work for the Army, but still underwent this training during their free time in order to support the war effort.⁸³ While such excesses in labor were "voluntary," these practices clearly left convicts worse off than POWs, who were guaranteed safety and physical protections. Lastly, because convicts were not protected by the Geneva Convention, they were not only permitted but also rewarded for engaging in more dangerous work, such as fire-fighting. This meant that while convicts were consistently put in harm's way in order to help alleviate pressing needs, POWs were not.

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⁸³ United States. War Production Board. Report on the Progress of the State Prison War Program Under the Government Division of the War Production Board. (Washington, 1944)

Chapter 2: How Unfree Labor Practices and How Unfree Labor Tempered the Labor Shortage in California during World War II

The start of World War II dramatically impacted the country's labor needs in that it removed a sizable percentage of free laborers from the labor market at the same time it created an increase in the need for military goods and services. One way these challenges were addressed in the State of California was by utilizing two groups of unfree laborers, POWs and convicts. However, while both programs were based on the similar premise of contributing manpower during the labor scarcity caused by World War II, the most striking differences between the treatment of POWs and convicts in California during this time regarded labor practices. Through a detailed examination of the training provided for each group of unfree laborers, types of work assignments, and pay, it is clear that POWs were treated better by their governing administration than convicts in California.

The 1929 Geneva Convention mandated requirements for the implementation of significant safety measures for POW laborers. These requirements were explicitly detailed in Articles 28, 29, 30, and 32. Article 28 stated that the captor must maintain the health and well-being of every POW. Article 29 required that the POW was physically capable of doing his assigned job. Article 30 regulated the length of the workday, not only noting that it must not be "excessive" but limiting it to the same maximum number of hours allowed to be worked by free laborers, which in this case was eight hours. Lastly, Article 32 stated that POWs were not to be utilized for "unhealthful or dangerous work." While the articles detailed above are contained within a larger section of the Geneva Convention that defined POW labor programs, these

⁸⁴ International Committee of the Red Cross (ICRC), Geneva Convention Relative to the Treatment of Prisoners of War (1929)

articles specifically determined the policy surrounding both the preparation of POWs for work assignments and the varieties of labor in which they could be employed.

Adherence to these articles of the Geneva Convention is evidenced in the implementation of proper classification and training for POWs before they began their work assignments. POWs were often assigned jobs based on their qualifications, rather than just their physical acumen. Alfred Schmucker, a German POW in California's Camp Cooke, recalls that, "If at all possible, they [POWs] were given work in their respective profession."85 Moreover, the claimed skillset of POWs was often verified before they were allowed to conduct work that could put themselves or others at risk. Werner Blanck, another POW at Camp Cooke, recalls needing to take a driver's test before being allowed to work as a warehouse delivery man, indicating not only how his stated qualifications were reviewed before he received his assignment but also how they were verified.⁸⁶ Lastly, before starting labor assignments for which they were not previously prepared, POWs received some type of preparation, often in the form of instructional booklets in their native language. However, in some of these circumstances when the POW did not already have relevant experience, he would receive on-the-job training. Schmucker recalls that when he and some of his fellow POWs were assigned to work in the tailoring shop, none of them had any experience. Yet, they were given a training period of three days during which they learned the craft, rather than being expected to immediately manufacture any products. Another POW, Herbert Schaffrath, noted that, "an American farmer gave us the necessary instructions," before he and his inexperienced team were allowed to begin work harvesting sugar beets.⁸⁷ These preparations undoubtedly prevented injuries to many POWs working in occupations in which they lacked prior experience. Moreover, they highlight the fact that the administration made a

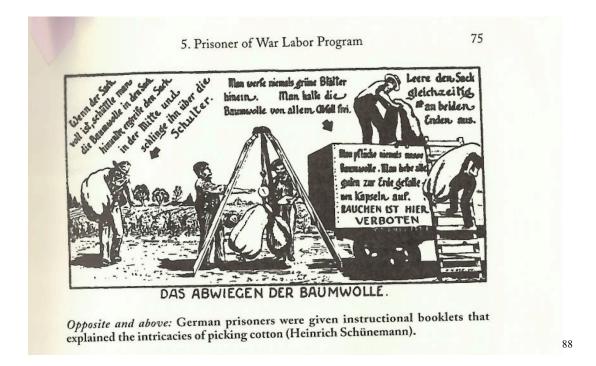
⁸⁵ Geiger, German Prisoners of War at Camp Cooke, 82

⁸⁶ *Ibid*., 77

⁸⁷ *Ibid.*, 86

noteworthy effort to keep POWs safe during their labor assignments, in adherence with the relevant clauses of the Geneva Convention.





In contrast, the process of designating and training convicts for labor assignments was less detail-oriented or individualized. Before the start of World War II, a process for classifying inmates was introduced in the State of California. Starting in 1940, the Prison Board of Directors implemented a screening program for incoming convicts. However, the purpose of this program was primarily to determine security risk as it pertained to institutional and labor assignments rather than labor qualifications. At the start of the war, inmates spent the first six weeks of their sentences at San Quentin, where their behavior was monitored by a classification committee. This committee was comprised of the chairman, psychiatrist, warden's secretary, the institutional chaplain, and the supervisor of education. The makeup of this committee was meant to represent the various aspects of prison life in order to create a balanced and well-rounded assessment of each man.⁸⁹ Additionally, newly-interned convicts received medical and psychological

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⁸⁸ *Ibid.*, 74-75

^{89 &}quot;Final Report of Governor's Investigation Committee on Penal Affairs" 29

examinations. At the end of this period, inmates were classified into categories of risk, which would then determine which institution they would spend the remainder of their sentences in, and whether or not they would be allowed to work externally. Convicts were classified as a Maximum, Medium, Minimum Restricted, or Minimum security risk. 90 Each classification was accompanied by a description of the type of crime committed, the supervision required, which institution should house him, his prospects for rehabilitation, and social factors. The case of each inmate was then reexamined after his initial six months of imprisonment. While this procedure seemingly had the potential to be an effective way of mitigating security risks during external assignments, this program was ultimately unsuccessful for multiple reasons. One of the largest contributions to this failure was that it frequently incorrectly categorized inmates in two key ways. First, many people who should have been deemed unfit to be with the normal prison population were not sent to the appropriate facilities. In 1944, it was found that, "At San Quentin alone, there are today approximately five hundred inmates, who while not insane in the generally accepted meaning of the word, are mentally unsound and in need of a more effective program of medical treatment than is possible in the traditional type of prison. There is also a large number of inmates who are chronically ill, or who arementally [sic] abnormal, at the Folsom Prison."91 Second, the security risk of many capable men was not accurately assessed, leading to higher security risk convicts being placed in lower-security assignments. 92 These errors occurred for several reasons. First, every member on the classification committee had another full-time job within the prison. This meant that he was not fully focused on his classification duties and was therefore undoubtedly less effective. Second (and somewhat related to the first issue), the

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⁹⁰ State Board of Prison Directors. "Biennial Report of the Board of Prison Directors" 18

⁹¹ "Summary of a Report of the Progress of the California Department of Corrections Since May 1st, 1944", [ca. 1946], PROGRESS-REPORTS. 1944-46, Department of Corrections Records, folder F3717, California State Archives, Sacramento

⁹² "Final Report of Governor's Investigation Committee on Penal Affairs" 18

committee often complained that they did not have enough time with each inmate to classify him properly. ⁹³ Another deficiency of the program was that it was not aimed at assigning convicts to work details which would maximize their productivity based on the background information they had acquired about each man. In other words, the classifications were entirely related to security risks and did not take prior labor skills into account.

The custodial classifications are as follows:

Maximum—The inmate requires close personal supervision at all times.

Close—Can be assigned to any task in the yard.

Medium—Can have assignments in and out of the yard, but always under supervision.

Minimum Restricted—Can have assignments in or out of the yard, with or without supervision, except no assignments to be made to the homes of personnel.

Minimum—Can have any assignment in or out of the yard, with or without supervision.

In addition to the issues surrounding the accuracy of the classification system, both the autonomy granted to wardens before the centralization of the California penal system and the increased need for labor brought on by the war meant that wardens could assign more extreme criminals to external labor assignments. An example of this occurred in 1943 at Straloch Farms Harvest Camp. This camp, managed by Folsom Prison, allowed hardened prisoners, including multiple convicts with life sentences and even more convicted of murder, to leave the camp to work on this farm. While the classification system was meant to prevent these types of inmates from performing external work, this system was evidently not consistently implemented.

These shortcomings of the classification program began to be addressed with the reorganization of the California penal system. In fact, in 1944, the Director of the Department of

⁹³ *Ibid.*," 15

⁹⁴ State Board of Prison Directors. "Biennial Report of the Board of Prison Directors" 18

⁹⁵ "E. Warren Papers – Administrative files – Corrections – Governor's Prison Committee – Straloch Farm Harvest Camp – Bear River Camp (37), 1943", [ca. 1943], folder F3640:1006, California State Archives, Sacramento

Corrections Richard McGee converted the West Block of San Quentin into the Reception and Guidance Center, which was dedicated to the classification of new inmates. Even so, this new process was not immediately successful, as indicated from the fact that the program was still being remedied in 1946. This evidence indicates that throughout the war the method of classifying and assigning convicts to jobs was not nearly as detailed or efficient as the program for POWs.

The training of convicts before they began work assignments was also not nearly as extensive or accommodating as the training provided to POWs. For many work assignments, there are no records of training prerequisites or experiential requirements. One of many instances of this lack of training occurred with the manufacturing of cargo nets by the blacksmiths at Folsom Prison. The Folsom Observer reported that "though they lacked experience, their ingenuity pulled them through." While the inmates were still successful at learning their trade, they were reliant on "ingenuity," rather than on training comparable to that which POWs received. For some of the more dangerous jobs, such as firefighting, convicts were required to take specific training courses. However, even while participating in training, convicts were still expected to complete a full day's work. This required convicts to use their recreational time to learn these materials. Yet, the fact that California inmates had access to both training courses and the accompanying state-sponsored materials was notable when compared to other states. ⁹⁹

After receiving proper training, POWs were allowed to begin working. These previously referenced articles of the Geneva Convention not only defined the circumstances of POW labor but also significantly limited the variety of labor assigned to POWs. As POWs were not allowed

⁹⁶ Lamott. Chronicles of San Quentin. 249

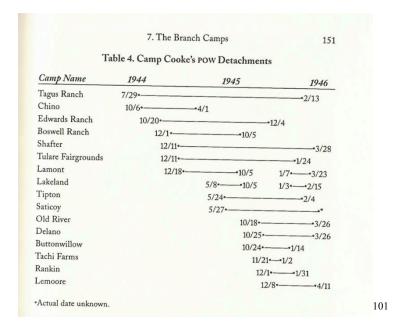
^{97 &}quot;Work of the Department of Corrections, Biennium 1944-1946" (Department of Corrections, 1946.)

⁹⁸ Folsom Observer, Friday October 30, 1942, 3

⁹⁹ United States. War Production Board. Report on the Progress of the State Prison War Program Under the Government Division of the War Production Board. (Washington, 1944). 43

to engage in effort to support the war or work that was deemed to be "dangerous," most of the work approved for POWs in California was agricultural. In California, the dramatic decrease in free labor meant that POWs were frequently contracted out to local farmers (or coalitions of farmers). However, contractors had to prove their need, the unavailability of free labor, and their ability to adhere to the Geneva Convention before any contracts were approved. Most of this work was the planting and harvesting of crops such as sugar beets, cotton, walnuts, guayule, tomatoes, cabbage, apricots, green beans, lemons, oranges, peaches, potatoes, lettuce, and nectarines. POWs also performed a variety of other farm labor, such as working with livestock. 100 In order to do this work, most POWs had to learn new skills, as there were significantly fewer agricultural opportunities in Germany. However, the necessary training was administered to the POWs either prior to or as part of their labor assignments. While some POWs returned to their base camps nightly, those conducting agricultural work farther away from the main camp lived in labor camps. Within these labor camps, POWs were entitled to the same living accommodations and provisions they had at the main camps.

¹⁰⁰ Geiger, German Prisoners of War at Camp Cooke, 71



POWs not engaged in agricultural work were often assigned duties related to the construction and maintenance of the POW camp in which they were interned. These duties included cleaning, cooking, grounds maintenance, laundries, and more. POWs were also engaged in slightly more strenuous work within their camps, such as road construction and engineering. In one instance, POWs were utilized to build a flush-dam in order to control the mosquito population at Camp Cooke. The work at the base camps was a natural product of confinement and was not contributing to the economy or mitigating the labor shortage. However, when conducted at branch camps this type of work was noteworthy in that it allowed other POWs to conduct external labor and therefore did contribute to California's economy.

Labor done by California inmates was unique compared to both the jobs done by POWs and to that of convicts in other states. California inmates were employed in a far wider array of work that was objectively more dangerous than the work being done by POWs. Additionally,

¹⁰¹ *Ibid.*, 151

¹⁰² *Ibid.*, 70

while California's penal labor was not quantitatively leading national penal labor in a specific field, ¹⁰³ California's prisons led the nation in the volume of industrial war production. ¹⁰⁴ California inmates were also involved in a wider variety of labor assignments than convicts in other states. ¹⁰⁵ In fact, these contributions led to the appointment of Warden Clinton Duffy of San Quentin as a consultant to the War Production Board. ¹⁰⁶ This labor directly impacted the labor shortage in the State of California and made noteworthy contributions to the war effort.

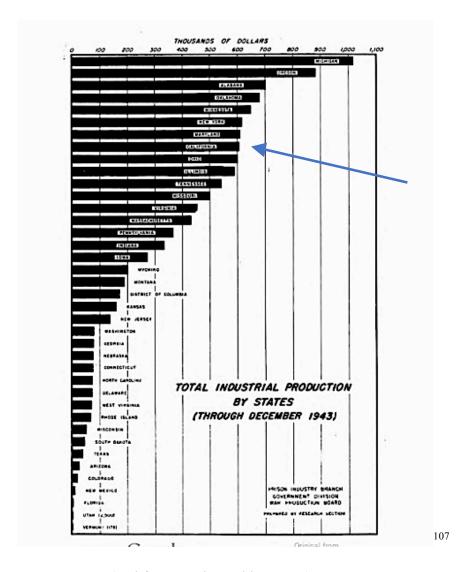
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¹⁰⁶ Lamott. Chronicles of San Quentin. 246

¹⁰³ United States War Production Board. Report on the Progress of the State Prison War Program Under the Government Division of the War Production Board. (Washington, 1944)

¹⁰⁴ McAfee, "A History of Convict Labor in California." 30

¹⁰⁵ United States War Production Board. Report on the Progress of the State Prison War Program Under the Government Division of the War Production Board.



(California indicated by arrow)

While working conditions were often similar between California prisons, the autonomy of each administration under the Board of Prison Directors meant that each warden was responsible for the specific contracts regarding his inmates. This remained true until 1944, when the Department of Corrections was appointed to oversee new contracts for all of the prisons. While this administrative shift began to standardize the treatment of leased convicts, the Department of Corrections was still bound to the contracts signed before its existence, indicating

 107 United States War Production Board. Report on the Progress of the State Prison War Program Under the Government Division of the War Production Board. 17

that discrepancies in convict labor were not immediately resolved by the introduction of the Department of Corrections.

Both before and throughout World War II, convicts were sent to prison road camps to perform road construction and maintenance. Prior to the war, this was the exclusive utilization of external convict labor. Additionally, convicts were employed on more remote roads due to free labor complaints of interference with the market. However, during the war, the usage of these camps declined, rather than increased. This decline occurred for two reasons. First, there was a greater need for convict labor in more urgent areas such as agriculture and manufacturing. Second, the cost of food began to rise to a level that these camps were no longer financially self-sustaining, making it less appealing to employ convicts in this manner. Some evidence for this trend is the recorded decrease at San Quentin in prisoner usage for road construction. In fiscal year 1940-1941, there were 70 convicts in road camps. However, by the next year, there were only 10. Yet, this program of prison labor is important not just because it is the oldest external convict labor program in California, but also because it was used as a model for other external labor camps developed during World War II.

In 1941, the California State Legislature enacted a statute providing for the temporary use of convicts to harvest crops and fight fires. This meant that while the road camps began the war with existing infrastructure, these new types of convict labor camps did not. Furthermore, while the mandate to utilize convicts in this way came from the State of California, the lack of centralization in the prison administration meant that each of these camps was run by the prison from which its convicts came. While there were some guidelines from the Prison Board of Directors regarding the administration of these camps, they were not enforced and often

¹⁰⁸ "Preliminary Reports of Governor's Committee on Penal Affairs: Folsom Prison and San Quentin Escapes, December 26, 1943: submitted to Honorable Earl Warren, Governor of California, December 14, 1943, and December 31, 1943" (1943)

disregarded. This lack of centralized management is confirmed by a series of investigations conducted in 1943 which found that these camps were run in a haphazard manner. These reports noted that convicts were receiving uncensored mail, drinking, and gambling. Furthermore, the whereabouts of convicts was not properly regulated. In fact, one convict testified that "during a period of 2 ½ months he absented himself from camp about 45 times." The inadequate administration of these camps highlighted and exacerbated already existing problems within the California penal administration and significantly contributed to Governor Warren's decision to unify the system under the California Department of Corrections.

The labor shortage in California meant that convicts, like POWs, began to be utilized for agriculture and camp maintenance. Convicts were sent to agriculture camps, known as harvestry camps, across the State of California. While at these camps, convicts assisted local farmers with the harvesting of products such as walnuts, tomatoes, oranges, peaches, and more. Similarly to POWs, convicts were contracted out either to individuals or to groups of farmers in order to fill a labor shortage. However, due to the autonomy granted to each prison under the Prison Board of Directors, the process for obtaining convict labor was far less standardized than that for acquiring POW labor. When convicts were not being contracted out to local farmers, they worked on state-owned land, where the fruits of their labor contributed to the war effort. At Folsom, the two main harvestry camps were Straloch Farms in Davis, California and Bear River Camp at Wheatland, California. San Quentin supplied convicts to several local harvestry camps. Finally, throughout the duration of World War II, C.I.M. operated multiple harvestry camps in Southern California in addition to the agricultural labor done at the main prison facility. 110

¹⁰⁹ *Ibid.*, 13

¹¹⁰ Kenyon J. Scudder, "Superintendents Report" (California Institution for Men at Chino, California, 1945)

Some of the most important work assigned to convicts during this period was in forestry and fire fighting. Forestry work included maintaining and cultivating wildlife in California's parks, conducting telephone and electrical line maintenance, and other general forestry assignments. For example, when the men at Camp Jaxbone, a U.S. Forestry camp utilizing Folsom Prison convicts, were not working on fire suppression, they were "kept busy exterminating gooseberry plants," which threatened local pine forests with a destructive fungus. In addition to these general forestry duties, convicts at these camps were utilized for fire suppression. Due to the statewide danger of wildfires, this important work was conducted by convicts at all three prisons. During World War II, C.I.M. operated about ten forestry camps in Southern California. These camps each held anywhere from fifteen to ninety men. However, most camps operated with twenty-five to forty-five convicts. At Folsom Prison and San Quentin, these off-base assignments, like harvestry camp assignments, were "honor" assignments, given to the more trustworthy inmates.



111 "Folsom Observer Friday August 13, 1943", [ca. 1943], call number 000578473, California State Library, Sacramento, 1

¹¹² Chaddock, "Unlocking History: 1940s Scandal of 'Yacht Bandit' Helped Shape Today's CDCR."

While the work at these forestry camps was considered more "honorable", the conditions at these camps were far more demanding. The working days were not limited by constraints such as daylight or labor-protections, but rather convicts were expected to work whenever a fire arose. An example of this occurred at Camp Jaxbone in 1943, where Folsom Prison inmates fought a fire for sixteen consecutive hours. Another example of extended time spent firefighting occurred at the Chino camp of C.I.M. in 1944, where shifting winds forced a fire crew to spend eighteen consecutive hours firefighting. He Furthermore, while the State of California argued that working outdoors would be conducive to the health of the convicts employed there, the conditions at the camps created significant health risks. In addition to the risks brought about by either the heat or the cold, the housing provisions for convicts were frequently sub-par, and the facilities faced problems such as water shortages, lack of electricity, insufficient heating, poor plumbing, and more. Additionally, due to the remote location of the camps, medical care was more difficult to obtain. Unlike convicts, POWs never worked under these strenuous conditions or for such extended periods of time.

¹¹³ "Folsom Observer Friday August 13, 1943, Vol. 3 No. 16" [ca. 1943], call number 000578473, California State Library, Sacramento 1

¹¹⁴ Volker Janssen. "When the "Jungle" Met the Forest: Public Work, Civil Defense, and Prison Camps in Postwar California." (The Journal of American History 96, no. 3, 2009). 715

¹¹⁵ *Ibid.*, 714



All three California state prisons for men signed military contracts, either with the Army, the Navy, or both, during World War II. These contracts stipulated that the prisons would assign the required number of inmates to a variety of labor assignments to produce necessary goods for whichever agency required them. For example, at C.I.M., convicts were contracted to can food for the Army. However, California's large coast and the locations of its prisons made it uniquely qualified to engage in Naval contracts. At Folsom Prison, convicts performed laundry services, including the washing and repair of clothing, and manufactured shoes, first aid materials, boats, ammunition cases, and other materials. Folsom Prison signed a notably large contract with the United States Navy for the production of cargo nets. In fact, this project was reported to produce \$205,284 worth of cargo nets, a feat for which the State of California received national accolades. At San Quentin, inmates worked in the clothing factory

¹¹⁶ Scudder, "Superintendents Report"

¹¹⁷ *Ibid.*. 6

¹¹⁸ War Production Board. Report on the Progress of the State Prison War Program Under the Government Division of the War Production Board. 9

¹¹⁹ "Folsom Observer Friday March 12, 1943", [ca. 1943], call number 000578473, California State Library, Sacramento 1

¹²⁰ State Board of Prison Directors. "Biennial Report of the Board of Prison Directors" 98

¹²¹ War Production Board. Report on the Progress of the State Prison War Program Under the Government Division of the War Production Board. 22

"cleaning, laundering, repair, and renovation of Naval clothing." Additionally, inmates at San Quentin worked in the jute mill, where they made gunny sacks and camouflage netting, and the foundry. Clearly, most if not all of these jobs were not available before the war, and would not be available afterwards. This not only highlights the unique aspects of convict labor during World War II but also foreshadows the shift in the prison labor program that would take place shortly after the end of the war.



124

¹²² "Inter-Departmental Communication dated 9/14/1944" [ca. 1944], Earl Warren Papers, folder F3640, California State Archives, Sacramento

¹²³ "Historical Data on California State Prison at San Quentin", (Department of Corrections Records, F3717, March 30, 1951) and Lamott, *Chronicles of San Quentin*, 246

¹²⁴ State Board of Prison Directors. "Biennial Report of the Board of Prison Directors" 130

DIVERSIFIED WORK

Specifically, here are some of the many diversified work projects which the inmates of the prisons have undertaken successfully:

Making, by strength of hand huge anti-submarine cable nets for the defense of harbors and waterways with the speed of production exceeding that for the same purpose in the free world.

(This exceedingly laborious work is performed on the reservation at the edge of San Pablo Bay where the Navy provided materials for a huge concrete slab; the Navy has also agreed to set aside \$20,000 in materials to build an enclosure on this foundation for protection against inclement weather.)

Reconditioning and assembling buoys, valves and other machinery for warships and auxiliary vessels.

Manufacturing thousands upon thousands of mattress covers and pillow cases required by the armed forces.

Reclaiming hundreds of tons of rubber and metal-covered copper wire and cable, salvaged and brought back from warships damaged at Pearl Harbor.

Producing thousands of cafeteria service steel compartment trays for the Navy.

Weaving raw jute from India into burlap cloth, sacking and jute bags for camouflage and other purposes.

Fashioning hundreds of night sticks for the State Guard.

Repairing thousands of shoes for the State Guard and men of the armed forces.

Laundering clothing for the Navy.

Constructing sirens, noise-clackers and other devices for the Civilian Defense authorities.

Designing, sewing and making thousands of garments in the tailor shops for the Red Cross units.

Turning out thousands of splints, wooden packing boxes, stretchers, bandages and other supplies for the Red Cross.

Building furniture for the military and naval services.

Creating hundreds of model planes for pre-flight training of the Army and Navy.

Erecting modern rifle and pistol ranges, which are being used daily by the Army for target practice.

Planning and processing more than 40,000 War Posters for the Army Air Corps, war saving staff of the Treasury Department, service clubs, safety councils and patriotic organizations.

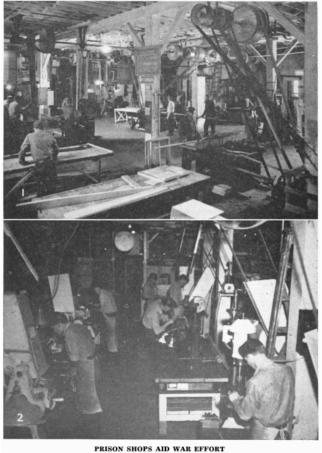
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There was also a significant amount of work done in prisons that was not directly for the Army but still benefitted the war effort. At San Quentin, convicts worked on projects such as the distribution of ration books. Additionally, they made stirrup pumps, sirens, first aid kits, and hospital supplies. At Folsom Prison, a printing press was installed and convicts created thousands of war-related posters. Additionally, while most of the factory work done in prisons during this time was to assist the war effort, some of it was for other uses. For example, one of the potential occupations at San Quentin prisoners was in the furniture factory. Here, convicts

¹²⁵ *Ibid.*, 20

¹²⁶ Lamott. Chronicles of San Quentin. 246

made chairs, tables, desks, costumers, bookcases, and more.¹²⁷ Additionally, inmates at Folsom Prison worked on a granite quarry. In these instances, convicts were both addressing the gap left by free laborers during the war years and the specific demands of the war.



PRISON SHOPS AID WAR EFFORT

1—Scene in San Quentin furniture shop, where furniture is made for state use and for the armed services

2—San Quentin machine shop, which is geared to repair valves and machine tools for warships and auxiliary vessels in addition to institution work

The working conditions varied based on both the prison in which the convict was serving his sentence and the type of work the convict was doing. In factories at both San Quentin and Folsom Prison, convicts experienced inadequate working conditions. For example, in Folsom Prison conditions in both the tailor and shoe shops were described as "a symbol of the old

¹²⁷ "Historical Data on California State Prison at San Quentin", [ca. 1951], Department of Corrections Records, folder F3717, California State Archives, Sacramento

¹²⁸ State Board of Prison Directors. "Biennial Report of the Board of Prison Directors" 62

sweatshop conditions," due to poor ventilation, limited lighting, lack of materials, and ineffective guards. 129 Moreover, the shifts of inmate factory workers would vary and were often very long. 130

Despite the fact that both POWs and convict laborers were paid, the evidence indicates that convicts made less and faced more restrictions on their finances. In order to hire POWs, contractors had to pay the going rate for free laborers to the United States Treasury Department. While POWs did not immediately receive all of the money being paid for their labor, they were guaranteed certain minimums. The War Department mandated that POWs doing external labor had to make at least 80 cents a day. 131 The difference between what contractors paid and what POWs received was then used to fund the domestic POW program. ¹³² The earnings of each POW were put into an individual trust, which he could access either to buy himself canteen items or send back to his family. For security reasons, the money was not given outright to the POW in the form of cash, and could not be collected in full until he was repatriated. Yet, there were no requirements on how each POW could spend his money. Then, once he was sent back to Europe, each POW was given a check for the remaining balance in his trust. Protections granted POWs with disabilities by the Geneva Convention meant that they were barred from performing external manual labor, meaning that they could not work the better-paying jobs harvesting crops. However, even though they were not working, these POWs were guaranteed a pay of \$3 a month from the government.

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¹³² Geiger, German Prisoners of War at Camp Cooke, 73

¹²⁹ "Preliminary Reports of Governor's Committee on Penal Affairs: Folsom Prison and San Quentin Escapes, December 26, 1943"

¹³⁰ "Folsom Observer September 3, 1943", "Folsom Observer September 17, 1943" call number 000578473, California State Library, Sacramento

¹³¹ Some employers utilized a quota system, meaning that POWs could earn up to \$1.20 per day.

Comparatively, the urgent need for labor at the start of the war placed increased demands on the underdeveloped infrastructure for paying convicts working at harvestry and forestry camps, meaning that "records are not complete or satisfactory, especially for those earlier periods." 133 This problem was mitigated both with time and when the Department of Corrections was instituted. At the start of the war, contractors were paid \$2.10 a day for every convict they hired. 134 This price increased in 1943, when the state mandated that contractors had to pay \$3.00 a day. However, from these wages, convicts were charged for food, clothing, medicine, board, commissaries, and other amenities. These costs varied based on how much each amenity cost at the specific labor camp. This is strikingly different than the financial situation of POWs, who were guaranteed certain amenities, no matter the cost, under the Geneva Convention. In addition to these costs, convicts were required to send two thirds of their earnings to their dependents, meaning family members who were collecting money from the state during the convict's imprisonment. 135 Finally, even after these costs of living were accounted for, convicts could not earn more than 75 cents a day. 136 These financial quandaries highlight the fact that convicts not only earned less that POWs, they also were allowed significantly less freedom with their finances.

Both the POW and the convict-labor program were successful in alleviating the wartime labor shortage. This is most evident by the significant demand for both POW and convict labor in California. Over the course of the war, not only did both groups received numerous contracts, but also Californian farm owners came to rely on them. Geiger recalls how the "demand for

¹³³ Corrections-Institutions, Institutional Histories and Information, F3717:872, File, 2

¹³⁴ G.A. Tilton. "Convict Labor: Story of Prison Road Camps in California." (California Highway and Public Works, 1949) 55

¹³⁵ *Ibid.*, 55

¹³⁶ *Ibid.*, 55

POW labor spread to other areas"¹³⁷ throughout Southern California, and how the POW labor program was "generally successful in alleviating the domestic labor shortage."¹³⁸ Moreover, Henry Cridge, a California farm owner who had hired convicts, stated "Personally, I would suggest that these men, who have been glad for the opportunity given to them to make a direct contribution to the national welfare by helping out in our harvest, are real soldiers on the home front. They have done and are doing a swell job; without their help, we'd have got the job done some other way – but I don't know how."¹³⁹. Testimonies such as these highlight the economic impact made by POWs and convicts.

¹³⁷ Geiger, German Prisoners of War at Camp Cooke 71

¹³⁸ Ihid 73

¹³⁹ "Folsom Observer, Vol. 3 No. 16, Friday August 27, 1943" [ca. 1943], call number 000578473, California State Library, Sacramento

Chapter 3: Programming for Unfree Laborers

An examination of how unfree laborers contributed to the labor shortage during World War II would not be complete without accounting for non-labor activities provided by the respective administrations, as these opportunities impacted both the material gains and the mindsets of the workers. When analyzing the programming provided to POWs and convicts in California during World War II, primarily in recreation and education, it becomes evident that POWs had both higher quality and more consistent programming. While interned in the United States, POWs were provided with significant educational and recreational opportunities for selfimprovement. The United States provided such high quality programming for numerous reasons. First, Article 17 of the Geneva Convention states that, "So far as possible, belligerents shall encourage intellectual diversions and sports organized by prisoners of war." 140 Yet, instead of merely fulfilling this obligation, "the United States went above and beyond the normal means of providing recreation areas for the POWs."141 A second reason for providing quality educational and recreational programs to POWs was the anticipated benefits of POWs having a positive experience while in the United States. Lastly, national and international organizations made considerable donations to POW camps, such as sports equipment, theatre costumes, and educational materials, that enabled the POW recreational programs to grow beyond the institutional budget they received.

POWs were provided with educational opportunities to complete high school and collegiate coursework for corresponding academic credit, either from an American institution or

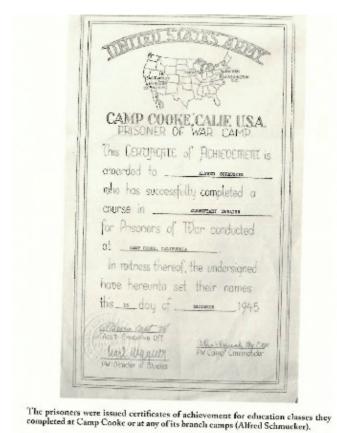
¹⁴⁰ International Committee of the Red Cross (ICRC), Geneva Convention Relative to the Treatment of Prisoners of War. Article 17

¹⁴¹ Thompson, Men in German Uniform, 107

from a participating German school. These men took classes in topics such as English, mathematics, German, engineering, physics, and more. 142 While several of these classes were conducted within the confines of the POW camp, many others were taught through accredited universities, such at the University of California, Los Angeles. POWs also had access to wellstocked, on-site libraries that contained a large quantity of books in both English and German. These books were either donated from national and international groups or purchased using profits from the canteen. These scholastic programs provided POWs with opportunities to advance in a way that would benefit them once they returned to Germany after the war. However, when administering education to POWs, the United States had to be careful to avoid being charged with exposing POWs to wartime propaganda, as this was forbidden under the Geneva Convention. Still, the United States began to emphasize American history and democracy lessons within "normal" classes in an attempt to "break the ties of Nazi indoctrination by exposing prisoners to democratic ethos." ¹⁴⁴ These more subtle programs continued until the end of the war, when the United States had the freedom to more blatantly attempt to reeducate willing POWs.

¹⁴² Geiger, German Prisoners of War at Camp Cooke, 106

¹⁴⁴ *Ibid.*, 96



14:

POWs also had access to a considerable variety of activities, including sports, the arts, films, and theatre. Across the state and the nation, soccer was by far the most popular sport among POWs. Because of this popularity, most POW camps were equipped with a soccer field. Oftentimes POWs would receive uniforms for their distinct soccer teams. POWs also enjoyed handball and boxing, which were made available to them. For those POWs who were more artistically inclined, camps in California consistently provided space and instruments for orchestras, opera troupes, and theatre companies so they could not only rehearse but also put on performances for the other POWs. POWs also had access to classes such as painting, sculpting, and music. Additionally, while POWs across the country were allowed to contribute to the

¹⁴⁵ *Ibid.*, 104

national POW newspaper Def Ruf (The Call), POWs in California's Camp Cooke were also allowed to publish their own biweekly newspaper entitled Der Lagerspiegel (The Camp Mirror). Within the arts, not only were necessary materials provided to them, but POW Alfred Schmucker recalls that he was even able to take music lessons while interned in California. Lastly, POWs were often allowed to keep pets, which gave them both a sense of responsibility and a feeling of homeliness. 146





¹⁴⁶ *Ibid.*, 109 ¹⁴⁷ *Ibid.*, 98

What is noteworthy about POW programming was not just its extensive nature but also its consistency, both at the various base camps within the State of California and between base and labor camps. National standards mandated POWs be given ample opportunities at every base camp. However, due to the impermanence of the labor camps, those standards did not always have to be met at the secondary locations. Even so, POWs in California labor camps recall having access to libraries, soccer fields, newspapers, and more. This consistency across the various types of locations was not found in the convict labor camps.

The State of California began to exhibit an increase in interest in recreational and educational convict programming as early as 1930. This shift towards an increase in programming opportunities is best exemplified by the changes made by Warden Clinton T. Duffy. After his appointment in 1940, Duffy began to dismantle older, more punitive aspects of San Quentin. For example, he immediately banned the use of the "dungeon," a below-ground location used for solitary confinement, as a punishment for prisoners. Moreover, Duffy began to institute more rehabilitative programming opportunities, such as restarting San Quentin's "The News", a newspaper run by the inmates. ¹⁴⁹ Warden Duffy was confronted by several challenges, such as a lack of adequate funding from the Prison Board of Directors. This meant that much of the funding for these new programs came from the Inmate Trust Fund, rather than from the State of California. Furthermore, it meant that many projects, such as updating the library or acquiring credentialed instructors, were fiscally unfeasible at this time. Yet, the changes Duffy began to implement and the successes they reaped enabled the other two institutions to move forward with similar projects with increased support from the Prison Board of Directors.

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¹⁴⁸ *Ibid.*, 103

¹⁴⁹ Duffy and Jennings. *The San Quentin Story*. 135

The efforts initiated by Warden Duffy and other similar projects were considerably delayed by the start of World War II. The needs of the war both limited the total resources available for recreational and educational programming and demanded that what resources were available be re-allocated towards the expansion of the labor program. This is most evident during the administration of the Prison Board of Directors. The Biennial Report of the Board of Prison Directors from the years 1940-1942 makes countless mentions of postponing projects pending the results of the war. An example of this occurred in Folsom Prison, where the installation of radio headsets into every cell was delayed until "war priorities release necessary materials." While the Department of Corrections was also eager to introduce more programming opportunities, wartime shortages and labor demands limited its ability to do so until the end of the war.

While in some instances convicts had access to quality programming, the lack of state regulations and requirements led to considerable institutional discrepancies in what programming opportunities were available to convicts. These inconsistencies are best highlighted in the differences in opportunities at the California Institution for Men and Folsom Prison. The inmates at C.I.M. participated in athletic activities such as softball, basketball, baseball, football, boxing, and swimming. In order to encourage participation, the prison administration organized tournaments for each activity. Additionally, inmates at C.I.M. were provided with Saturday night films. Furthermore, during World War II, inmates at C.I.M. still had remarkable educational and vocational opportunities. The "Report of the Activities of California Institution for Men July 1, 1941-June 30, 1942" noted that, "at the close of the year June 30, 1942 courses were being taught in Accounting, Auto-Mechanics, Band, Boxing, Cabinet Shop Work, Fire Suppression, First Aid, Fundamentals, Horticulture, Human Relations, Journalism, Laundry, Physical

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¹⁵⁰ State Board of Prison Directors. "Biennial Report of the Board of Prison Directors" 27

Education, Playwriting, Sheet Metal Work, Soft-ball, Shoe Shop, Shorthand, Typing, Tractor Repair, and Welding." ¹⁵¹ Moreover, all of the teachers at C.I.M. were provided by an arrangement with the Chino Unified School District, and were certified by the State Board of Prison Education. ¹⁵² As the war continued, the administration at C.I.M. implemented War Production Classes, such as welding, machine shop, and tractor repair. These classes also clearly had potential benefits for these men after incarceration. The variety and extent of recreational activities were the result of two key factors. First, the inmates were all minimum risk, and were therefore considered "good" prisoners. Second, convicts kept at C.I.M. were considered to have the highest potential for rehabilitation.

On the other hand, the inmates at Folsom Prison were considered to have a low potential for rehabilitation, and were mostly higher security risks. This meant that their programming opportunities were more limited. For example, while Warden Duffy was implementing dramatic reforms at the medium-security San Quentin, the biggest reform to programming at Folsom Prison before the war occurred in the late 1930's, when Warden Plummer reinstituted the showing of films. This significant lack of programming activity is evidenced by reports that found Folsom Prison had the highest rates of idleness. Convicts had access to some sports, such as boxing and wrestling. However, not only do these activities require minimal equipment, but the administration only notes biannual tournaments. As for the educational opportunities available, inmates were able to take classes at Folsom's Day or Night School, local correspondence, or University of California Extension Courses. While this could have been adequate, reports on the condition of the educational program found that the library was

¹⁵¹ "Report of the Activities of California Institution for Men July 1, 1941-June 30, 1942" [ca. 1942], call number 000573470, California State Library, Sacramento.

^{152 &}quot;Final Report of Governor's Investigation Committee on Penal Affairs" 34

¹⁵³ State Board of Prison Directors. "Biennial Report of the Board of Prison Directors" 102

"antiquated and out of date," ¹⁵⁴ and the teachers were of low quality. This lack of programming permeated the labor camps administered by Folsom Prison as well. At Bear River Camp, the only extra-curricular activities listed were swimming in the nearby lake, horseshoes, and a reading room. This variation is markedly different from POW labor camps, which, as described above, had comparable activities and opportunities at their labor camps to the main bases, and therefore strengthens the argument that POWs received better treatment than convicts.

¹⁵⁴ "Final Report of Governor's Investigation Committee on Penal Affairs" 16

Conclusion

On May 8, 1945, Germany surrendered to the Allied Powers, and once again there was a dramatic shift in unfree labor practices in the State of California. In August 1945, Undersecretary of War Robert P. Patterson sent letters to the Secretary of Agriculture and to the Chairman of the War Manpower Commission asking them to urge those employing POWs to prepare to replace them with free labor. 155 In California, this message was met with mixed reactions; while free laborers and their advocates demanded the immediate termination of all POW contracts, some farmers felt that POW labor was still vital until free labor was more fully in place. Then, on September 2, 1945, World War II officially ended. The repatriation of POWs back to Europe began almost immediately. While most POWs were transported to the East Coast before being shipped back to Europe, some were sent directly from California, where they were routed through the Panama Canal to Europe. On May 18, 1946, California's largest POW camp, Camp Cooke, officially closed. 156 Then, on July 22, 1946, the final ship of German POWs was sent back to Europe, thus ending the German POW program in the United States. However, it was not until August 1947 that the United States issued an official statement that all 435,788 POWs from World War II (excluding those who were too ill/injured to be transported and 24 escapees) were repatriated.¹⁵⁷

While the exodus of the POWs back to Europe meant that they were no longer the responsibility of the United States government, these men did not necessarily return directly home to Germany. Whether or not a POW went immediately back to Germany or elsewhere was determined by two factors: which Ally occupied his hometown and whether he participated in

¹⁵⁵ Geiger, German Prisoners of War at Camp Cooke, 168

¹⁵⁶ Ibid 170

¹⁵⁷ Thompson, Men in German Uniform, 130

the POW reeducation program. Those who participated in the reeducation program or whose hometowns were in the American occupation zone returned immediately to Germany. However, POWs who did not fit into either of these categories were sent to help rebuild war-torn infrastructure and communities in England, France, and Russia, based on which power occupied their hometown. While those who went to France and England were repatriated by 1948, ¹⁵⁸ Russia did not complete repatriation until 1956. ¹⁵⁹

The convict-labor program did not slow down before the end of the war. In fact, on May 4, 1945, The Folsom Observer published an article titled "War Contracts Rolling," in which it predicted an increase in labor programming. Furthermore, in that same edition The Folsom Observer reported the renewal of a harvestry camp law by the California State Legislature, which not only maintained the existing branch camps but created jobs for 900 additional inmates. Yet, the end of the war would have a noteworthy impact on the amount of prison-labor available and the prison population. The effects of these changes were first felt soon after soldiers began to return from the war. This return concurrently led to an increase in the number of inmates and a decrease in the number of jobs available to them.

In the five years following the end of World War II, the total prison population in California nearly doubled (90.9% increase). By April of 1946, Folsom Prison and San Quentin were overpopulated, which led to an expansion of the California penal system. This increase in

¹⁵⁸ Valentin Schneider, "German and French prisoners of war during and after World War II: a common experience for a common interpretation?" (2015) and Alan Malpass. "What Happened to German Prisoners of War in Britain after Hitler's Defeat." (The Conversation. 2019.)

¹⁵⁹ Thompson, Men in German Uniform, 130

¹⁶⁰ "Folsom Observer, Vol. 4 No. 52, Friday May 4, 1945" [ca. 1945], call number 000578473, California State Library, Sacramento, 1

¹⁶¹ Ibid

¹⁶² While this statistic is for all prisons in the state, including those for women and youths, it holds true for men's prisons as well. Beattie, Ronald H. "California Prisoners, 1945-1949: An Analysis of Admissions to and Releases From California Prisons, January 1, 1945-December 31, 1949." (California Department of Corrections. 1949)

prison population was evidenced by the allocation of funds and a bill in the state legislature creating a new medium-security prison and the expansion of C.I.M. to increase its capacity to house 1,000 prisoners. ¹⁶³

As free laborers began to refill the jobs they had left for the war effort, there became fewer industrial labor opportunities for convicts. There were also significantly less agricultural opportunities, as evidenced by the closure of six San Quentin Harvest Camps by December 31, 1945. The Department of Corrections now faced the challenge of converting the existing labor programs into peacetime industries. It did this by shifting their focus from wartime industry to vocational training. This included the creation of new vocational programs at existing institutions, such as the Vocational Print Shop in November 1945 and the Vocational Auto Shop at San Quentin in 1947, 164 as well as an increase in use of preexisting programs, such as the vocational school at C.I.M. Additionally, the Department of Corrections began to operate the California Vocational Institution, which, as the name suggests, was a penal institution focused on vocational training in order to increase inmate employability upon release. The Department of Corrections began construction on the California Vocational Institution, which would later be known as the Deuel Vocational Institution, on November 1, 1945. This preparation continued until March 18, 1946, when inmates commenced serving their sentences there. Equipment from the War Surplus Division of the War Assets Administration was repurposed to provide vocational training. 165 These programmatic shifts both repurposed skills that those who had been imprisoned during the war previously learned and changed the trajectory of incarceration programming for incoming inmates. Additionally, this change in trajectory had the support of

¹⁶³ "The California Correctional System" [ca. 1946], folder F3717:1373-1374, page 6, California State Archives, Sacramento

¹⁶⁴ Historical Data on California State Prison At San Quentin (Department of Corrections, 1951)

¹⁶⁵ Don Chaddock, "Unlocking History: Deuel Vocational Institution Can Trace Roots to WWII Air Field." (Inside CDCR. 2015.)

organized labor, thus easing their transition back from the war. This union influence is further indicated by the 1947 founding of the Correctional Industries Commission, where two of the seven board seats were given directly to organized labor. 166



Despite the end of the war boosting free-labor competition, convict labor persisted. Within the prison structure, convicts continued to perform agricultural labor on prison-leased land. Externally, the road-camps and the fire-fighting programs also continued after the war. However, while the road-camp program steadily decreased, the fire-fighting program would grow exponentially. In fact, California would come to invest "more than any other state in this type of incarceration." Furthermore, the fire-fighting program would continue to receive widespread attention within and outside of the State of California through modern times.

¹⁶⁶ McAfee, "A History of Convict Labor in California." 31

Chaddock, "Unlocking History: Deuel Vocational Institution Can Trace Roots to WWII Air Field."
 Janssen, "When the "Jungle" Met the Forest" 703

While the end of the war led to a status change for POWs, it did not do so for convicts. However, following their release, many inmates who had been involved with industrial war work reaped notable benefits. In his work "When the 'Jungle' Met the Forest: Public Work, Civil Defense, and Prison Camps in Postwar California," historian Volker Janssen found that, "institutional training in welding and other industrial skills often led to early parole and immediate employment at navy yards in Los Angeles, the Bay Area, or Hawaii." 169 This is also true of inmates who were released during the war. From July 1, 1941 through June 30, 1942, The C.I.M. Superintendents Report found that, "50% of the men released on parole were accepted for employment in work where training received in the vocational school, or on work assignments made through the Educational Department, enabled them to qualify for the job offered." ¹⁷⁰ So while they often had to endure less training and worse working conditions than POWs, these opportunities impacted the trajectory of the post-incarceration lives of these former inmates in ways that the labor performed by German POWs generally did not. In fact, one man said, "the standard of living of my whole family has been raised because of the training I received in welding at Chino."¹⁷¹

World War II was a remarkable and distinct era for the utilization of unfree labor to fill an economic gap in the State of California. Both the federal government of the United States and the government of the State of California were able to utilize unfree labor from POWs and convicts to significantly mitigate the dramatic labor shortage caused by the onset of World War II. However, due to public sentiment and the specific legal requirements of Executive Order 9066, neither the State of California not the war effort was able to benefit from the unfree labor pool provided by those Japanese-Americans interned in the State of California. After his detailed

Janssen, "When the "Jungle" Met the Forest' 708
 Report of the activities of California Institution for Men: July 1, 1941 to June 30, 1942. (1942)

¹⁷¹ Scudder, "Superintendents Report" 32

study of POWs in the United States during World War II, Thompson concludes that, "never before or since has the U.S. government attempted to handle prisoners of war in the numbers it received during World War II." Moreover, beyond the sheer volume of POWs, the United States was able to adhere to its policy of maintaining if not exceeding the standards outlined by the Geneva Convention. For convicts, World War II highlighted structural problems that led to the creation of the Department of Corrections, decreasing convict idleness, and creating several important penal-labor institutions. These changes permanently altered the trajectory of the California Penal system.

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 $^{^{172}}$ Thompson, Men in German Uniform, 133

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