

## CHAPTER 133

## CARE OF PRISONERS

AN ACT to provide for the boarding, lodging, waiting on, washing for and care of, prisoners in the county jail in certain counties, to fix the duties of public officers and employees with reference to such work, to provide and pay assistants in carrying on such work, to punish the wrongful use of supplies purchased in connection with such work, and to amend section fifty-two hundred twenty-six (5226), Code, 1927, relating to the salary of the sheriff.

*Be it enacted by the General Assembly of the State of Iowa:*

1     **SECTION 1. Prisoners—duty of sheriff.** The duty of the sheriff to  
2 board, lodge, wait on, wash for and care for prisoners in his custody  
3 in the county jail in counties having a population in excess of eighty  
4 thousand (80,000) shall be performed by the sheriff without com-  
5 pensation, reimbursement or allowance therefor except his salary as  
6 fixed by law.

1     **SEC. 2. Purchase of supplies.** The board of supervisors in such  
2 counties shall, in such manner and under such regulations as it may  
3 deem fit, furnish to the sheriff at the county jail and at the expense  
4 of the county all supplies, wholesome provisions, and utensils, includ-  
5 ing gas, fuel, electricity and water which in its judgment are neces-  
6 sary to enable the sheriff to discharge said duty.

1     **SEC. 3. Inspection.** The board shall (at all reasonable hours)  
2 have the right to full access to said jail and to said supplies in order  
3 to inspect the same and determine whether said supplies are being  
4 used for the sole purpose herein contemplated.

1     **SEC. 4. Cook and assistants.** The sheriff may with the approval  
2 of the board of supervisors appoint a competent cook for each of the  
3 county jails of his county; also such assistants at each of said jails  
4 as said board may deem necessary. One or more of said assistants  
5 may be women. Said appointments shall be made by the board of  
6 supervisors when the sheriff fails to make them.

1     **SEC. 5. Salaries.** Said board shall fix the salaries of said cook or  
2 cooks and assistants, which salaries shall be paid as other salaries  
3 in general are paid. Said salaries may include board and lodging in  
4 the jail.

1     **SEC. 6. Use of trusties.** It shall be the duty of the sheriff of said  
2 counties to cooperate with said board in reducing the number of  
3 assistants to the minimum, and to this end the sheriff shall assign  
4 any of the work, made necessary by this chapter, inside the jail, to  
5 such prisoners as in the judgment of the sheriff can be trusted.

1     **SEC. 7. Duty of cooks and assistants.** It shall be the duty of said  
2 cook or cooks, and of said assistants properly to prepare and serve,  
3 three times each day, the food for said prisoners, properly and ade-  
4 quately to wait on and care for said prisoners, and to wash the cloth-  
5 ing of said prisoners as herein provided. When not so engaged they  
6 shall perform such work as the sheriff may direct.

1     **SEC. 8. Washing.** The shirts and other underclothing of each

2 prisoner, and the bed sheets and pillow cases shall be washed at least  
3 once each week, and oftener if necessary to avoid an unsanitary con-  
4 dition. All other wearing apparel, and all other bedding shall be  
5 washed at such times as may be necessary to avoid an unsanitary  
6 condition.

1 **SEC. 9. Federal prisoners.** The sheriff of the counties embraced  
2 within this chapter shall account to the board of supervisors for all  
3 fees due or collected for the boarding, lodging, waiting on, washing  
4 for, and care of, every prisoner in his custody under an order of a  
5 court of the United States.

1 **SEC. 10. Wrongful use of supplies.** Any person who wilfully uses  
2 any supplies furnished by the board hereunder, for a purpose not  
3 herein authorized or contemplated, shall be guilty of a misdemeanor,  
4 but this provision shall not prevent the state from prosecuting an  
5 offender for larceny or embezzlement if the facts constitute either of  
6 such offenses.

1 **SEC. 11. Series of acts.** In a prosecution for larceny or embezzle-  
2 ment as contemplated by the preceding section, if the property is  
3 stolen, embezzled or converted by one and the same person by a series  
4 of acts, the total value of the property so embezzled, converted or  
5 stolen shall be considered as embezzled, converted or stolen in one  
6 act, and the offender shall be punished accordingly.

1 **SEC. 12. Nonapplicability of statutes.** Paragraphs eleven (11) and  
2 twelve (12) of section fifty-one hundred ninety-one (5191), code,  
3 1927; also section fifty-one hundred ninety-two (5192), code, 1927,  
4 insofar as it refers to boarding, washing for, and care of prisoners,  
5 shall not be applicable to counties embraced in this chapter.

1 **SEC. 13.** Section five thousand two hundred twenty-six (5226),  
2 code, 1927, is hereby amended by striking lines twenty (20) and  
3 twenty-one (21) thereof, and by inserting in lieu thereof, the fol-  
4 lowing:

5 "9. Sixty-five thousand (65,000) and less than eighty thousand  
6 (80,000), twenty-eight hundred dollars (\$2800.00).

7 10. Eighty thousand (80,000) and less than one hundred twenty-  
8 five thousand (125,000), thirty-five hundred dollars (\$3500.00), and  
9 in counties over one hundred twenty-five thousand (125,000), five  
10 thousand dollars (\$5000.00).

11 Section fifty-two hundred twenty-six (5226) of the code, 1927, is  
12 further amended by renumbering sub-sections 10 and 11 as 11 and 12."

1 **SEC. 14.** This act shall not become effective until January 1, 1933.

House File No. 40. Approved March 28, 1931.