

February 26, 1969

SENATE FILE 321

Passed on File

*Social Services 2-26
Passed or amended 3-26
appropriations 3-27*

By O'MALLEY, COLEMAN, DENMAN,
DODERER and GAUDINEER

Passed Senate, Date..... Passed House, Date

Vote: Ayes Nays Vote: Ayes Nays

Approved

A BILL FOR

1 An Act establishing a regional jail system under the depart-
2 ment of social services, authorizing juvenile detention
3 facilities to be a part of the system, and providing an
4 appropriation therefor.

5 *Be It Enacted by the General Assembly of the State of Iowa:*

6 Section 1. As used in this Act, unless the context requires
7 otherwise:

8 1. "Department" means the department of social services.

9 2. "Commissioner" means the commissioner of social ser-
10 vices or his designee.

11 Sec. 2. The commissioner shall establish and operate a
12 regional jail system which shall include facilities for the
13 confinement, treatment, and care of persons sentenced for
14 crimes punishable by confinement in a county or municipal
15 jail. The number of regional jails and the location of each
16 shall be determined by the commissioner.

17 Sec. 3. The commissioner shall consider the following in
18 determining the location, construction, and area to be served
19 by a regional jail:

20 1. The physical condition of county and municipal jails
21 in the proposed area.

22 2. The population of the proposed area and future popula-
23 tion trends.

24 3. Present jail populations in the proposed area and
25 future trends in jail population.

1 4. The availability of employment opportunities for prison-
2 ers in proximity to the proposed regional jail site.

3 5. The distances involved and the economy of transporting
4 prisoners to the proposed site from counties in the regional
5 area.

6 6. The possibility of utilizing lands, buildings, and
7 staff personnel of other institutions under jurisdiction of
8 the commissioner.

9 7. The present and future need in the proposed area for
10 juvenile detention facilities which might be provided separ-
11 ate and apart from adult facilities.

12 Sec. 4. The commissioner, prior to designating sites and
13 areas to be served by each regional jail, shall schedule a
14 public hearing. Local authorities, prior to or during the
15 hearing, may present information and plans on the feasibility
16 of locating the jail in a particular area of the state. The
17 decision of the commissioner on the location of each regional
18 jail shall be final.

19 Sec. 5. The commissioner shall be responsible for the
20 administration and enforcement of this Act and shall:

21 1. Adopt rules and regulations for regional jail opera-
22 tion, discipline of prisoners, and policies and procedures
23 for notification of local governmental officials and courts.

24 2. Establish industries, work, educational, and other
25 rehabilitation programs necessary to carry out the purposes
26 of this Act.

27 3. Employ personnel in accordance with applicable provi-
28 sions of chapter two hundred eighteen (218) of the Code.

29 4. Utilize the work release program and perform the duties
30 imposed upon the sheriff in sections three hundred fifty-six
31 point twenty-eight (356.28) through three hundred fifty-six
32 point thirty-six (356.36), inclusive, of the Code.

33 Sec. 6. Eligibility for commitment to a regional jail
34 shall be determined by the commissioner, who shall consider
35 the availability of space and determine which offenders may

1 benefit by confinement in a regional jail. Any sentence served
2 by an offender in a regional jail shall be in lieu of the sen-
3 tence for which commitment to a county or municipal jail is
4 required under the Code.

5 Sec. 7. The magistrate when rendering a decision in mis-
6 demeanor cases, shall recommend as a matter of record whether
7 or not the prisoner should be committed to a regional jail
8 in lieu of commitment to a county or municipal jail. The
9 sheriff of the county shall be notified of the court's deci-
10 sion. Upon notification by the court, the sheriff, within
11 forty-eight hours after the time for appeal, shall notify
12 the commissioner. The sheriff shall provide the commissioner
13 with the name, address, age, sex, crime, sentence imposed,
14 and any other information the commissioner may require in
15 determining eligibility for commitment to a regional jail.
16 The commissioner, within twenty-four hours, shall inform the
17 sheriff whether or not the offender is eligible for commit-
18 ment to a regional jail and whether or not a vacancy exists
19 in the jail.

20 Sec. 8. Except as provided in this section, the cost of
21 transporting prisoners to a regional jail shall be paid in
22 accordance with section three hundred thirty-seven point
23 eleven (337.11) of the Code. The commissioner may provide
24 for transporting offenders to a regional jail and charge a
25 reasonable fee for the transportation service.

26 Sec. 9. The commissioner may furnish a discharged offender
27 with proper clothing, transportation to a place not more dis-
28 tant than the place of original commitment, and a sum of money
29 not to exceed twenty dollars.

30 Sec. 10. The commissioner may return to the committing or
31 transferring authority any offender committed or transferred
32 to a regional jail, if the offender is guilty of any viola-
33 tion of rules and regulations of the regional jail.

34 Sec. 11. The commissioner may establish and operate, in con-
35 junction with each regional jail, a facility for the detention

1 of delinquent juveniles. The juvenile detention facility
2 shall be restricted to the commitment of juveniles defined
3 as delinquents under chapter two hundred thirty-two (232) of
4 the Code. The juvenile detention facility shall be separate
5 and apart from the regional jail. Any juvenile committed to
6 a juvenile detention facility established under the provisions
7 of this Act shall be committed in accordance with the provi-
8 sions and procedures established under chapter two hundred
9 thirty-two (232) of the Code.

10 Sec. 12. If a juvenile detention facility is established
11 in conjunction with a regional jail, the commissioner shall:

12 1. Adopt rules and regulations for the operation of the
13 juvenile detention facility.

14 2. Establish education and other rehabilitation programs.

15 3. Employ personnel in accordance with applicable provi-
16 sions of chapter two hundred eighteen (218) of the Code.

17 Sec. 13. Section two hundred eighteen point one (218.1),
18 Code 1966, as amended by chapter one hundred ninety-nine (199),
19 section nine (9), and chapter two hundred nine (209), section
20 forty (40), Acts of the Sixty-second General Assembly, is here-
21 by further amended by adding the following new subsection:

22 "Regional Jail System."

23 Sec. 14. Section two hundred eighteen point ninety (218.90),
24 Code 1966, as amended by chapter two hundred nine (209), section
25 one hundred two (102), Acts of the Sixty-second General Assem-
26 bly, is hereby further amended by adding the following:

27 "Transfers to a regional jail shall be made only when the
28 number of pending commitments to the regional jail from the
29 sheriffs of the state is less than number of vacancies in
30 the regional jail."

31 Sec. 15. Section two hundred thirty-two point eighteen
32 (232.18), Code 1966, is hereby amended by adding the follow-
33 ing new subsection:

34 "A juvenile detention facility."

35 Sec. 16. Section two hundred thirty-two point thirty-four

1 (232.34), subsection four (4), Code 1966, as amended by chap-
2 ter two hundred nine (209), section two hundred eight (208),
3 Acts of the Sixty-second General Assembly, is hereby further
4 amended by inserting in line three (3) after the word "school"
5 the words ", or a regional detention facility".

6 Sec. 17. Section two hundred forty-five point four (245.4),
7 Code 1966, is hereby amended by inserting in line seven (7)
8 after the word "reformatory" the words "or a regional jail".

9 Sec. 18. Section two hundred forty-five point ten (245.10),
10 Code 1966, as amended by chapter two hundred nine (209), sec-
11 tion three hundred forty-four (344), Acts of the Sixty-second
12 General Assembly, is hereby further amended as follows:

13 1. By striking from line four (4) the word "and".

14 2. By inserting in line five (5) after the word "reforma-
15 tory," the words "from the reformatory or girls' training
16 school to a regional jail or juvenile detention facility,
17 and from a regional jail or juvenile detention facility to
18 the reformatory or girls' training school."

19 Sec. 19. Section two hundred forty-five point eleven
20 (245.11), Code 1966, is hereby amended by striking from line
21 two (2) the word "either" and inserting in lieu thereof the
22 word "an".

23 Sec. 20. Section two hundred forty-six point twelve
24 (246.12), Code 1966, as amended by chapter two hundred nine
25 (209), section three hundred fifty-two (352), Acts of the
26 Sixty-second General Assembly, is hereby further amended as
27 follows:

28 1. By inserting in line four (4) after the word "reforma-
29 tory" the words ", or a regional jail,".

30 2. By inserting in line seven (7) after the word "refor-
31 matory" the words ", or a regional jail,".

32 Sec. 21. Section three hundred fifty-six point two (356.2),
33 Code 1966, is hereby amended by inserting in line five (5)
34 after the word "law" the words ", or committed to a regional
35 jail".

1 Sec. 22. Section three hundred sixty-seven point ten
2 (367.10), Code 1966, is hereby amended by inserting in line
3 five (5) after the word "jail" the words ", or to a regional
4 jail,".

5 Sec. 23. Section six hundred two point twenty-eight
6 (602.28), Code 1966, is hereby amended by inserting in line
7 nine (9) after the word "jail" the words ", or a regional
8 jail".

9 Sec. 24. Section six hundred three point thirteen (603.13),
10 Code 1966, is hereby amended by inserting in line two (2) after
11 the word "prison" the words "or a regional jail".

12 Sec. 25. Section seven hundred forty-five point one (745.1),
13 Code 1966, is hereby amended as follows:

14 1. By striking from line one (1) the word "penitentiary".

15 2. By striking from line two (2) the words "or to the
16 men's or women's reformatory" and inserting in lieu thereof
17 the words "penitentiary, men's or women's reformatory, or a
18 regional jail".

19 3. By striking from line twelve (12) the words "or refor-
20 matory" and inserting in lieu thereof the words ", reformatory,
21 or regional jail".

22 4. By striking from line thirteen (13) the word "said"
23 and inserting in lieu thereof the word "the".

24 Sec. 26. There is hereby appropriated from the general
25 fund of the state to the department of social services for
26 the biennium beginning July 1, 1969, and ending June 30, 1971,
27 the sum of three million three hundred eighty thousand
28 (3,380,000) dollars of which two million five hundred thou-
29 sand (2,500,000) dollars shall be used for the construction
30 of one regional jail and eight hundred eighty thousand
31 (880,000) dollars for the construction of a juvenile deten-
32 tion facility in conjunction with the regional jail. The
33 funds herein appropriated may be used for the planning of
34 the facilities, the purchase of lands upon which the facil-
35 ities are to be constructed, the employment of architects in

1 addition to the state architect for the preparation of plans
2 and specifications for the facilities, and to enter into con-
3 tracts for erection of the facilities. Any unencumbered bal-
4 ance of the appropriation provided in this Act remaining on
5 June 30, 1971, shall revert to the general fund of the state.

EXPLANATION OF SENATE FILE 321

This bill provides that the department of social services shall establish a system of regional jails, and may establish juvenile detention facilities in conjunction with the regional jails. The regional jails and juvenile detention facilities are required to have rehabilitation programs. The bill appropriates an amount to be spent between July 1, 1969, and June 1, 1971, for construction of one regional jail and one juvenile detention facility.

FISCAL NOTE

SENATE FILE 321

Date prepared April 1, 1969

Requested by Senator Kosek.

Prepared in regard to Senate File 321, a bill for an act establishing a regional jail system under the department of social services, authorizing juvenile detention facilities to be a part of the system, and providing an appropriation therefor.

Following is the fiscal effect in dollars of the legislative proposal as required by Rule 47: Dollar estimates are provided in the bill. (Page 6, Sec. 26.)

Filed
April 3, 1969

GERRY D. RANKIN
Legislative Fiscal Director

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- 1 Amend Senate File 321 by striking from page 6, lines 24 through
35, inclusive,
2 and page 7, lines 1 through 5, inclusive.

Filed

March 26, 1969

By COMMITTEE ON SOCIAL SERVICES

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- 1 1. Amend Senate File 321 by striking from page 1, line 1, the word,
2 "jail" and inserting in lieu thereof the words, "correction center".

Filed

March 26, 1969

By KOSEK

SENATE FILE 321

- 1 Amend Senate File 321 as follows:
- 2 1. By striking from page one (1), line twelve (12), the
- 3 word "jail" and inserting in lieu thereof the words "correction
- 4 center".
- 5 2. By striking from page one (1), line fifteen (15), the
- 6 word "jails" and inserting in lieu thereof the words "cor-
- 7 rection centers".
- 8 3. By striking from page one (1), line nineteen (19), the
- 9 word "jail" and inserting in lieu thereof the words "cor-
- 10 rection center".
- 11 4. By striking from page two (2), line two (2), the word
- 12 "jail" and inserting in lieu thereof the words "correction
- 13 center".
- 14 5. By striking from page two (2), line thirteen (13), the
- 15 word "jail" and inserting in lieu thereof the words "correction
- 16 center".
- 17 6. By striking from page two (2), line sixteen (16), the
- 18 word "jail" and inserting in lieu thereof the words "cor-
- 19 rection center".
- 20 7. By striking from page two (2), line eighteen (18), the
- 21 word "jail" and inserting in lieu thereof the words "cor-
- 22 rection center".
- 23 8. By striking from page two (2), line twenty-one (21), the
- 24 word "jail" and inserting in lieu thereof the words "cor-
- 25 rection center".
- 26 9. By striking from page two (2), line twenty-four (24),
- 27 the words "Establish industries, work, educational," and
- 28 inserting in lieu thereof the words "cooperate with industry
- 29 and business to provide work, training".
- 30 10. By striking from page two (2), line thirty-three (33),
- 31 the word "jail" and inserting in lieu thereof the words "cor-
- 32 rection center".
- 33 11. By striking from page three (3), line one (1), the
- 34 word "jail" and inserting in lieu thereof the words "correction
- 35 center".
- 36 12. By striking from page three (3), line two (2), the
- 37 word "jail" and inserting in lieu thereof the words "correction
- 38 center".
- 39 13. By striking from page three (3), line seven (7), the
- 40 word "jail" and inserting in lieu thereof the words "correction
- 41 center".
- 42 14. By striking from page three (3), line fifteen (15), the
- 43 word "jail" and inserting in lieu thereof the words "correction
- 44 center".
- 45 15. By striking from page three (3), line eighteen (18),
- 46 the word "jail" and inserting in lieu thereof the words "cor-
- 47 rection center".
- 48 16. By striking from page three (3), line nineteen (19),
- 49 the word "jail" and inserting in lieu thereof the words "cor-
- 50 rection center".

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- 51 17. By striking from page three (3), line twenty-one (21),
52 the word "jail" and inserting in lieu thereof the words "cor-
53 rection center".
- 54 18. By striking from page three (3), line twenty-four (24),
55 the word "jail" and inserting in lieu thereof the words "cor-
52 rection center".
- 57 19. By striking from page three (3), line thirty-two (32),
58 the word "jail" and inserting in lieu thereof the words "cor-
59 rection center".
- 60 20. By striking from page three (3), line thirty-three (33),
61 the word "jail" and inserting in lieu thereof the words "cor-
62 rection center".
- 63 21. By striking from page three (3), line thirty-five (35),
64 the word "jail" and inserting in lieu thereof the words "cor-
65 rection center".
- 66 22. By striking from page four (4), line five (5), the word
67 "jail" and inserting in lieu thereof the words "correction
68 center".
- 69 23. By striking from page four (4), line eleven (11), the
70 word "jail" and inserting in lieu thereof the words "correction
71 center".
- 72 24. By striking from page four (4), line twenty-two (22),
73 the word "jail" and inserting in lieu thereof the words "cor-
74 rection center".
- 75 25. By striking from page four (4), line twenty-seven (27),
76 the word "jail" and inserting in lieu thereof the words "cor-
77 rection center".
- 78 26. By striking from page four (4), line twenty-eight (28),
79 the word "jail" and inserting in lieu thereof the words "cor-
80 rection center".
- 81 27. By striking from page four (4), line thirty (30), the
82 word "jail" and inserting in lieu thereof the words "correction
83 center".
- 84 28. By striking from page five (5), line eight (8), the
85 word "jail" and inserting in lieu thereof the words "correction
86 center".
- 87 29. By striking from page five (5), line sixteen (16), the
88 word "jail" and inserting in lieu thereof the words "correction
89 center".
- 90 30. By striking from page five (5), line seventeen (17),
91 the word "jail" and inserting in lieu thereof the words "cor-
92 rection center".
- 93 31. By striking from page five (5), line twenty-nine (29),
94 the word "jail" and inserting in lieu thereof the words "cor-
95 rection center".
- 96 32. By striking from page five (5), line thirty-one (31),
97 the word "jail" and inserting in lieu thereof the words "cor-
98 rection center".
- 99 33. By striking from page five (5), line thirty-five (35),
100 the word "jail" and inserting in lieu thereof the words "cor-
101 rection center".
- 102 34. By striking from page six (6), line four (4), the word

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103 "jail" and inserting in lieu thereof the words "correction
104 center".

105 35. By striking from page six (6), line eight (8), the word
106 "jail" and inserting in lieu thereof the words "correction
107 center".

108 36. By striking from page six (6), line eleven (11), the
109 word "jail" and inserting in lieu thereof the words "cor-
110 rection center".

111 37. By striking from page six (6), line eighteen (18), the
112 word "jail" and inserting in lieu thereof the words "cor-
113 rection center".

114 38. By striking from page six (6), line twenty-one (21),
115 the word "jail" and inserting in lieu thereof the words "cor-
116 rection center".

117 39. By striking from page six (6), lines twenty-four (24)
118 through thirty-five (35), inclusive.

119 40. By striking from page seven (7), lines one (1) through
120 five (5), inclusive.

121 41. By adding the following new sections as follows:

122 "Chapter two hundred eighteen (218), Code 1966, is hereby
123 amended by adding the following new section:

124 "The commissioner of the department of social services may
125 accept grants of funds from federal or other sources to erect,
126 operate and maintain the regional correction center system and
127 juvenile detention facilities."

128 "The commissioner shall determine for each quarter of the
129 year the cost per day for each person committed. Such cost
130 shall include all labor, materials, food, supplies, maintenance,
131 repairs, transportation and a reasonable allocation of over-
132 head of the department of social services required to operate
133 the regional correction center. The commissioner shall charge
134 monthly the county of commitment for the number of total days
135 of commitment of persons from such county times the average
136 daily cost for the most recent preceding quarter, less any
137 amount received under the work release program as provided in
138 section five (5) of this Act, and including amounts paid by
139 the commissioner under section nine (9) of this Act. The
140 county auditor shall audit the charge, and upon verification
141 shall draw a warrant on the general fund of the county. The
142 county shall have the same rights against the person for pay-
143 ment of the charges as in cases where commitment is to a county
144 or municipal jail."

145 42. By striking from page one (1), line one (1), the word
146 "jail" and inserting in lieu thereof the words "correction
147 center".

148 43. By striking from page one (1), lines three (3) and
149 four (4), the words ", and providing an appropriation therefor".

Filed
April 7, 1969

By LUCKEN and KOSEK