

February 26, 1965.

Passed on File.

Senate File 394

By LUCKEN, HANSEN,
ELY and STEPHENS.

Passed Senate, Date 3/24 5/6

Passed House, Date 5/17

Vote: Ayes 48 Nays 2

Vote: Ayes 95 Nays 4

Approved May 26 1964

defined 7/58

Staffing committee 5/10

A BILL FOR

An Act to provide safe and suitable jails in the respective counties of the state.

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

1 Section 1. The county board of supervisors shall provide safe
 2 and suitable jails for their respective counties, and shall cause
 3 the same to be maintained in good sanitary condition at all times,
 4 properly ventilated, heated and lighted; structurally sound; fire
 5 resistant and kept in good repair. They shall cause the jails in
 6 their respective counties to be kept clean, provided with water of
 7 safe quality and ample quantity and sewer disposal facilities in
 8 accordance with good sanitary standards, and provided with clean,
 9 comfortable mattresses and blankets, sufficient for the comfort of
 10 the prisoners, and that food be prepared and served in a palatable
 11 and sanitary manner and according to good dietary practices and of
 12 a quality to maintain good health.

1 Sec. 2. For the purpose of this Act, the term "safe and suit-
 2 able jails" is further defined to mean jails which provide adequate
 3 security and safety facilities by having separate cells or compart-
 4 ments, dormitories, and day rooms, of varying dimensions and
 5 capacities for prisoners confined therein, except that, when
 6 practicable, no such cell or compartment shall be designed for
 7 confining two prisoners only. Cells or compartments shall be
 8 designed to accommodate one or from three to eight prisoners

9 each, and furthermore, such dormitories and day rooms shall be
10 designed to accommodate not more than twenty-four prisoners each.
11 Dormitory space may be provided to accommodate not more than
12 percent of the total designated prisoner capacity of the jail. ^{forty}
13 All cells, compartments, and dormitories for sleeping purposes,
14 where each such cell, compartment, or dormitory is designed to
15 accommodate three or more prisoners shall be accessible to a day
16 room to which prisoners may be given access during the day. Cells
17 for one prisoner only shall have a minimum floor area of forty
18 square feet and all other cells, compartments, dormitories and
19 day rooms (including safety vestibule area) shall have a minimum
20 floor area equal to eighteen square feet for each prisoner to be
21 confined therein. The ceiling height above finished floor shall
22 be not less than eight feet for any cell, compartment, dormitory
23 or day room where prisoners are confined.

1 Sec. 3. The term "safe and suitable jails," as used in this Act,
2 is further defined to mean that, for reasons of safety to officers
3 and security, the entrance and exit to each group of enclosures
4 forming a cell block or group of cells and compartments used for
5 the confinement of three or more prisoners shall be through a safety
6 vestibule having one or more interior doors in addition to the main
7 outside entrance door to such cell block, all arranged to be locked,
8 unlocked, opened or closed by control means located outside of any
9 such enclosure or cell block. All such enclosures or cell blocks,
10 for the confinement of prisoners, shall be separated from the
11 building wall on at least one side, by a corridor not less than
12 three feet wide and so designed that no prisoners in confinement
13 areas shall have direct access to windows in the walls of the

14 building.

1 Sec. 4. Basement or semibasement facilities may be used for
2 detention of day parole prisoners only and in such facility,
3 requirements of the preceding paragraph may be excepted.

1 Sec. 5. The term "safe and suitable jails" is further defined
2 to mean jails which provide adequate facilities for maintaining
3 proper standards in sanitation and health. Each cell designed for
4 one prisoner only shall be provided with a water closet and a
5 combination lavatory and drinking fountain, table and a seat. Each
6 cell, compartment or dormitory designed for three or more prisoners,
7 shall be provided with one water closet and one combination
8 lavatory and drinking fountain for each twelve prisoners or fraction
9 thereof to be confined therein. All such cells, compartments and
10 dormitories shall be provided with one bunk, not less in size than
11 two feet, three inches wide and six feet, three inches long, for
12 each prisoner to be confined therein. Each day room for the
13 confinement of three or more prisoners shall be provided with one
14 water closet, one combination lavatory and drinking fountain and one
15 shower bath for each twelve prisoners, or fraction thereof, to be
16 confined therein. Each day room shall be otherwise suitably
17 furnished.

1 Sec. 6. The provision of this Act shall become applicable to all
2 jails hereafter constructed, after July 4, 1965, and to existing
3 jails within two years from said date.

4 The state board of control shall have general charge and super-
5 vision of the provisions of this Act, and it is hereby made the
6 duty of the state board of control or any inspector or agent of the
7 state board of control to make periodic inspection of the aforesaid

8 jails, and to officially notify the county board of supervisors,
9 in writing to comply fully with the provisions of this Act.

1 Sec. 7. Following inspection of any county jail, a report of the
2 same shall be filed with the state board of control, a copy with the
3 sheriff, the county board of supervisors, and one copy with the
4 county attorney, which shall be presented at the next session of
5 the grand jury of that county.

1 Sec. 8. Section three hundred fifty-six point five (356.5), Code
2 1962, is amended by adding as a new subsection as follows: "To
3 have a matron on the jail premises at all times during the incarcer-
4 ation of any one or more female prisoners and to make nighttime
5 inspections while any prisoners are kept in confinement."

SENATE FILE 394
(Committee Amendment)

- 1 Amend Senate File 394 as follows:
- 2 Amend Senate File 394, section 6, by striking all of lines
- 3 2 and 3 after the word "constructed" in line 2 and inserting in
- 4 lieu thereof the following: "or substantially remodeled."

Filed *adopted 3/30* By COMMITTEE ON INDUSTRIAL AND HUMAN RELATIONS,
March 24, 1965. JAKE B. MINCKS, *Chairman*.

SENATE FILE 394

- 1 Amend Senate File 394 by adding at the end thereof a new
- 2 section as follows:
- 3 "Sec. 9. The county sheriff shall formulate rules and
- 4 regulations for the conduct and behavior of county jail pris-
- 5 oners. These rules shall include provisions for county jail
- 6 prisoners to do all necessary cleaning and upkeep of cells,
- 7 compartments, dormitories and day rooms. Extra penalties
- 8 shall be provided for intentional damage of county jail property.
- 9 "Such rules and regulations shall include such enforcement
- 10 provisions as may have the approval of the district judges."

Filed *adopted 3/16*
April 19, 1965.

By LUCKEN, HANSEN, ELY AND STEPHENS.

SENATE FILE 394

- 1 Amend Senate File 394 by striking the words "drinking
- 2 fountain" in line 5 of section 5 and insert in lieu
- 3 thereof the words "clean tap water".
- 4 In line 8 of section 5 strike the words "drinking
- 5 fountain" and insert in lieu thereof the words "clean tap
- 6 water".

Filed *adopted 3/16*
April 19, 1965.

By LUCKEN AND STEPHENS.

SENATE FILE 394

- 1 Amend Senate File 394, section 6, by striking all of
- 2 lines 1 through 3 as amended, and inserting in lieu thereof
- 3 the following:
- 4 "Sec. 6. This Act shall apply to all jails and additions
- 5 and extensions to jails constructed after July 4, 1965, and
- 6 all existing jails which are substantially remodeled or
- 7 reconstructed after July 4, 1965. This Act shall apply to all
- 8 other existing jails from and after July 1, 1966, except that
- 9 this Act shall not require improvements to such a jail if the
- 10 probable cost of such improvements will exceed the amount
- 11 which the board of supervisors may lawfully authorize with-
- 12 out submitting the proposition to the voters."

Filed *adopted 3/18*
April 27, 1965.

STANLEY and LUCKEN.

SENATE FILE 394

- 1 Amend Senate File 394 by adding at the end thereof a new
- 2 section as follows:
- 3 "The county sheriff shall formulate rules and regulations
- 4 for the conduct and behavior of county jail prisoners. These
- 5 rules may include provisions for county jail prisoners to do
- 6 all necessary cleaning and upkeep of cells, compartments,
- 7 dormitories and day rooms. Extra penalties may be provided
- 8 for intentional damage of county jail property. Such rules
- 9 and regulations shall be approved by a district judge from
- 10 the district in which the county jail is located."

Filed and adopted
May 6, 1965.

By DENMAN and LUCKEN.