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The Social Services, Pass 5/3

SENATE FILE **345**

By COMMITTEE ON SOCIAL SERVICES

Passed Senate, Date 3-26-71 Passed House, Date 5-14-71
Vote: Ayes 46 Nays 0 Vote: Ayes 78 Nays 0
Approved 5-25-71

A BILL FOR

1 An Act to provide protection for the institutional officers
2 at the Iowa security medical facility.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

4 Section 1. Section two hundred forty-six point sixteen
5 (246.16), Code 1971, is amended as follows:

6 246.16 TRANSFER OF MENTALLY ILL. When the said state
7 director has cause to believe that a prisoner in the peniten-
8 tiary or reformatory is mentally ill, the department may cause
9 such prisoner to be transferred to the Iowa security medical
10 facility for examination, diagnosis, or treatment. The
11 prisoner shall be confined at such institution or a state
12 hospital for the mentally ill until the expiration of his
13 sentence or until he is pronounced in good mental health. If
14 the prisoner is pronounced in good mental health before the
15 expiration of his sentence, he shall be returned to the peni-
16 tentiary or reformatory until the expiration of his sentence.
17 The provisions of the Code applicable to an inmate at the
18 correctional institution from which transferred shall remain
19 applicable during the inmate's stay at the Iowa security
20 medical facility. However, sections 246.32 and 246.33 shall
21 apply to the total inmate population, including both convicts
22 and patients.

EXPLANATION

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24 The amendment will provide protection to the institutional
25 officers at the Oakdale Medical Facility by having both

1 convicts and patients at Oakdale covered under sections 246.32
2 and 246.33. Section 246.32 deals with the right to use such
3 means as necessary to insure obedience. Section 246.33 deals
4 with right to use such means as necessary to repel insurrections,
5 riots, escapes, etc. At the present time only the convicts
6 transferred to Oakdale are covered under these two code sections.

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