

CHAPTER 255

JAILS

H. F. 150

AN ACT to amend, revise and codify sections thirty-four hundred one (3401) to thirty-four hundred eight (3408), inclusive, and sections thirty-four hundred eleven (3411), thirty-four hundred fourteen (3414), thirty-four hundred fifteen (3415), thirty-four hundred eighteen (3418), thirty-four hundred twenty (3420), and thirty-four hundred twenty-three (3423) of the compiled code of Iowa, relating to jails.

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

That sections thirty-four hundred one (3401) to thirty-four hundred eight (3408), inclusive, of the compiled code of Iowa are amended, revised and codified to read as follows:

1 **SECTION 1. Duty as to jail and prisoners.** The sheriff shall have
2 chargé and custody of the prisoners in the jail or other prisons of his
3 county, and shall receive those lawfully committed, and keep them
4 until discharged by law.

[C. C. 3401.]

1 **SEC. 2. Minors separately confined.** Any sheriff, city marshal or
2 chief of police, having in his care or custody any prisoner under the
3 age of eighteen (18) years, shall keep such prisoner separate and
4 apart, and prevent communication by such prisoner with prisoners
5 above that age, while such prisoners are not under the personal super-
6 vision of such officer, if suitable buildings or jails are provided for
7 that purpose, unless such prisoner is likely to or does exercise an
8 immoral influence over other minors with whom he may be imprisoned.
9 Any officer having charge of prisoners who without just cause or ex-
10 cuse neglects or refuses to perform the duties imposed on him by this
11 section may be suspended or removed from office therefor.

[C. C. 3402.]

1 **SEC. 3. Females.** All jails shall be equipped with a separate apart-
2 ment for females, who shall be detained only in such apartment, and
3 males and females shall not at the same time be allowed in the same
4 apartment.

[C. C. 3403.]

1 **SEC. 4. Keeper's duty—supplies furnished—account.** The keeper
2 of each jail shall:
3 1. See that the jail is kept in a clean and healthful condition.
4 2. Furnish each prisoner with necessary bedding, clothing, towels,
5 fuel and medical aid.
6 3. Serve each prisoner three (3) times each day with an ample
7 quantity of wholesome food.
8 4. Furnish each prisoner sufficient clean, fresh water for drinking
9 purposes and for personal use.
10 5. Keep an accurate account of the items furnished each prisoner.

[C. C. 3404, 3407.]

1 **SEC. 5. Sheriff's duty.** The sheriff must keep an accurate calendar
 2 of each prisoner committed to his care, which shall contain his name,
 3 place of abode, the day and hour of commitment and discharge, the
 4 cause and term of commitment, the authority that committed him,
 5 and a description of his person, a statement of his occupation, educa-
 6 tion and general habits. When any prisoner is discharged, such cal-
 7 endar must show the day and hour when and the authority by which
 8 it took place, and if a person escapes, it must state particularly the
 9 time and manner thereof.

[C. C. 3405.]

1 **SEC. 6. Calendar returned.** At the opening of each term of the
 2 district court within his county, the sheriff must return a copy of
 3 such calendar to the judge thereof. If a sheriff neglects or refuses
 4 so to do, he shall be punished by fine not exceeding one hundred dol-
 5 lars (\$100.00).

[C. C. 3406.]

1 **SEC. 7. Removal in case of fire.** When a jail or any building con-
 2 tiguous or near thereto is on fire, and there is reason to apprehend
 3 that the prisoners therein may be injured thereby, the sheriff or
 4 keeper must remove such prisoners to some safe and convenient place,
 5 and there confine them so long as it may be necessary to avoid such
 6 danger.

[C. C. 3408.]

That section thirty-four hundred eleven (3411) of the compiled code of Iowa is amended, revised and codified to read as follows:

1 **SEC. 8. Report.** Such report must state the number of persons
 2 confined, for what cause, the number usually confined in one (1)
 3 room, the distinction, if any, observed in the treatment of prisoners,
 4 the evils found to exist in such prisons, and particularly whether any
 5 provision of this chapter has been violated or neglected, and in what
 6 respects.

[C. C. 3411.]

That sections thirty-four hundred fourteen (3414) and thirty-four hundred fifteen (3415) of the compiled code of Iowa are amended, revised and codified to read as follows:

1 **SEC. 9. Refractory prisoners.** If any person confined in a jail is
 2 refractory or disorderly, or wilfully destroys or injures any part
 3 thereof or of its contents, the sheriff may chain or secure such person,
 4 or cause him to be kept in solitary confinement, not more than ten
 5 (10) days for any one (1) offense, during which time he may be fed
 6 with bread and water only, unless other food is necessary for the
 7 preservation of his health.

[C. C. 3414.]

1 **SEC. 10. Expenses of jail.** All charges and expenses for the safe-
 2 keeping and maintenance of prisoners shall be allowed by the board
 3 of supervisors, except those committed or detained by the authority
 4 of the courts of the United States, in which cases the United States
 5 must pay such expenses to the county.

[C. C. 3415.]

That section thirty-four hundred eighteen (3418) of the compiled code of Iowa is amended, revised and codified to read as follows:

1 **SEC. 11. Under whose direction.** If the sentence is for the viola-
2 tion of any of the statutes of the state, the sheriff of the county shall
3 superintend the performance of the labor, and furnish the tools and
4 materials, if necessary, to work with, at the expense of the county in
5 which the convict is confined, and such county shall be entitled to his
6 earnings.

[C. C. 3418.]

1 **SEC. 12. Labor under rules—not to be leased.** Such labor shall be
2 performed in accordance with such rules as may be made by resolu-
3 tion of the board of supervisors, not inconsistent with the provisions
4 of this chapter, and such labor shall not be leased.

[C. C. 3418.]

That section thirty-four hundred twenty (3420) of the compiled code of Iowa is amended, revised and codified to read as follows:

1 **SEC. 13. Attempt to escape—refusal to labor—punishment.** The
2 officer having charge of any prisoner may use such means as are
3 necessary to prevent his escape, and if the prisoner attempts to escape
4 or if, being convicted, he refuses to labor, the officer having him in
5 charge may, to secure his person or cause him to labor, deal with
6 him as with other disorderly or refractory prisoners. Such punish-
7 ment shall be inflicted within the jail or jail inclosure, and the time
8 of such solitary confinement shall not be considered as any part of
9 the time for which the prisoner is sentenced.

[C. C. 3420.]

That section thirty-four hundred twenty-three (3423) of the compiled code of Iowa is amended, revised and codified to read as follows:

1 **SEC. 14. Protecting prisoners.** The officer having a prisoner in
2 charge shall protect him from insult and annoyance and communica-
3 tion with others while at labor, and going to and returning from the
4 same, and may use such means as are necessary and proper therefor.

[C. C. 3423.]

1 **SEC. 15. Annoyance of prisoner punished.** Any person persisting
2 in insulting or annoying or communicating with any prisoner, after
3 being commanded by such officer to desist, shall be punished by a
4 fine not exceeding ten dollars (\$10.00), or by imprisonment not ex-
5 ceeding three (3) days.

[C. C. 3423.]

Approved March 8, A. D. 1923.