

A BILL

FOR AN ACT TO PROVIDE FOR A PRISON COMMISSION FOR THE FURTHER REGULATION OF PRISONS AND THE REFORMATION OF CRIMINALS.

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

SECTION 1. That it shall be the duty of the Governor immediately after the passage of
2 this act to appoint, by and with the advice and consent of the Senate, three (3) persons, to
3 be known as the Board of Prison Commissioners, no two of whom shall be residents of the
4 same congressional district, nor shall they all be members of the same political party; one
5 shall be appointed for two (2) years, one for four (4) years, and one for six years, as indicated
6 by the Governor in making the appointments, and until their successors are appointed
7 and qualified, and all subsequent appointments shall be made in the same manner, and each
8 for six (6) years, except in case of vacancies, which shall be filled by the Governor for the
9 Governor for the unexpired term, with the like advice of the Senate, if it shall be in session
10 before the expiration of such term.

SEC. 2. Before entering upon their duties, said Commissioners shall respectively take and
2 subscribe the Constitutional oath required of State officers. They shall have power to elect
3 a president out of their own number, and such other officers and agents from other citizens,
4 including a secretary, as they may deem proper, and to adopt such rules and regulations for
5 the transaction of their business and the discharge of their duties, not inconsistent with
6 the laws of the State, as they may consider expedient.

SEC. 3. Said Commissioners shall be charged with the supervision of all the State peni-
2 tentiaries and county and city prisons, and, subject to the laws of the State, shall have full
3 power and authority to adopt, declare, publish and enforce all necessary rules and regula-
4 tions for the government of the same, and to this end, among other things, they shall have
5 power to prescribe rules to the Wardens and those in charge of prisons, for the health, ven-
6 tilation and cleanliness of their respective buildings, for the health, morals, safe keeping
7 and government of those committed to their charge, and generally carry out and effectuate
8 the provisions of this act.

SEC. 4. Every person hereafter found guilty of an offense punishable by imprisonment
2 in the penitentiary, shall be sentenced and stand committed for the longest term prescribed
3 or to be prescribed by law for the offense of which he is found guilty, unless sooner dis-
4 charged under the provisions of this act.

SEC. 5. All persons so convicted, or now in any penitentiary in this State, shall, as soon
2 as practicable, by the said Commissioners, with the aid and after due consultation with the
3 Warden and other officers of each, be graded as prisoners of the first, second and third
4 classes; in the first shall be classed those who shall give good evidence to the Commissioners
5 that they have reformed; in the second, those who give like evidence that they are making
6 an honest effort to reform, and all others shall be assigned to the third class; *provided*, that
7 all prisoners at the time of entering, or now in said prisons, shall be assigned to the third
8 class, subject to promotion to the second or first class from time to time, according to the
9 orders of said Commissioners under such rules as they may establish.

SEC. 6. It shall be the duty of said Commissioners from time to time, and with due and
2 earnest diligence, to make the most ample and careful inquiry into the previous life and
3 conduct of each prisoner, as well as into his habits and conduct since conviction, the cir-
4 cumstances attending his trial and conviction; obtain all information reasonably attainable
5 from his previous acquaintances and the officers in charge, as well as from all other sources;
6 and after such inquiry and information, to assign each to one of the classes aforesaid, as
7 also to promote them from time to time or to reduce them for good cause to a lower rank.
8 They shall also prescribe the uniform to be worn by those in each class. Any one not
9 assigned to the first or second classes shall until otherwise ordered remain in the third.

SEC. 7. They shall hold regular meetings on the last Tuesdays in March, June, Septem-
2 ber and December in each year at the capitol building, as also special meetings from time to
3 time, as business may demand. One member at least shall visit and inspect all the peniten-
4 tiaries once each month and all county and city prisons once every year. The person so
5 visiting shall report to the board at its next quarterly or special meeting the result of his
6 visit, the condition of the prison and prisoners; what changes, if any, should be made in
7 the government thereof, or for the health, safety or good conduct of those there confined;
8 what changes should be made in the way of promotion or reduction, as well as anything
9 else calculated to aid the Board in the discharge of its duties and promote the general
10 object and purpose of this act.

SEC. 8. All orders made by said Board within the purview of the powers herein granted
2 shall be binding upon and obeyed by those in charge of all penitentiaries and prisons, and
3 it shall be the duty of those so in charge *and all officers* to aid said Commissioners in the dis-
4 charge of their duties and to assist in carrying out the provisions of this act.

SEC. 9. Upon the recommendation of said Commissioners, the Governor may condition-
2 ally pardon any prisoner of the first class, and six months thereafter, if in the opinion of
3 the Commissioners the conduct of such previous prisoner shall warrant, the Governor may
4 on their recommendation grant him an unconditional pardon; but no petition or other form
5 of application for the release of prisoners shall be entertained by said Commissioners unless

6 asked for by them in writing; *provided, further*, that nothing herein contained shall be con-
7 strued to impair the power of the Governor to grant a pardon or a commutation in any
8 case.

SEC. 10. The compensation of the members of said Board shall be \$ per day each
2 and their necessary traveling expenses. The salary of the secretary shall not exceed
3 twelve hundred dollars per annum, to be fixed by the Board at their first meeting and annu-
4 ally thereafter at their quarterly meeting in December, and his necessary traveling expenses;
5 which salary shall be paid at the end of each month. Such Board shall also fix the com-
6 pensation of other agents and employes, and shall have power to purchase all stationery
7 and blanks, furniture or material for the proper discharge of their duties; all of which salaries,
8 compensation to Commissioners, and expenditures, shall be paid out of any money in the
9 treasury not otherwise appropriated. All bills and claims against the State under this act
10 shall be duly verified and paid only upon the approval of the Executive Council.

SEC. 11. Said Commissioners shall report to the Governor on or before the first of Novem-
2 ber in each year the condition of the penitentiaries and prisons of the State, the result of
3 the work committed to their charge, and generally a full and complete statement of the
4 year's business, with such suggestions and recommendations as by them may be deemed
5 necessary to carry out and effectuate the provisions of this act.

SEC. 12. The clerk of any court by which any person convicted of crime shall be sen-
2 tenced to the penitentiary, shall furnish to the Board of Prison Commissioners a record
3 containing a copy of the indictment, the name and residence of the judge who presided at
4 the trial, of the jurors, and of the witnesses sworn on the trial, together with a statement of
5 all the facts which the presiding judge may deem material in order to a full comprehension
6 of the case, and a copy of the sentence, stating the minimum or maximum term during
7 which said prisoner may, or must, be confined in the penitentiary on account of the crime
8 of which he shall have been convicted.