

## A BILL

## 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 taking effect  
2 of this act, to appoint, by and with the advice and consent of the senate, three (3) persons,  
3 to 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) and one for six (6) years, as indicated  
6 by the governor in making the appointments, and until their successors are appointed and  
7 qualified; and all subsequent appointments shall be made in the same manner, and each for  
8 six (6) years, except in case of vacancies, which shall be filled by the governor for the un-  
9 expired term, with the like advice of the senate, if it shall be in session before the expira-  
10 tion of such term.

SEC. 2. Before entering upon their duties, said commissioners shall respectively take  
2 and subscribe the constitutional oath required of state officers. They shall have power to  
3 elect a president out of their own number, and such other officers and agents from other  
4 citizens, including a secretary, as they may deem proper, and to adopt such rules and regu-  
5 lations for the transaction of their business and the discharge of their duties, not inconsis-  
6 tent with 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 regu-  
4 lations for the government of the same, and to this end among other things, they shall  
5 have power to prescribe rules to the wardens and those in charge of prisons, for the health,  
6 ventilation and cleanliness of their respective buildings, for the health, morals, *safe keep-*  
7 *ing* and government of those committed to their charge, and generally to carry out and  
8 effectuate the provisions of this act.

SEC. 4. Every person hereafter found guilty of an offense punishable by imprisonment in  
2 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 a 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  
3 to time, as business may demand. One member, at least, shall visit and inspect all the pen-  
4 itentiaries once each month, and all county and city prisons once every year. The person  
5 so visiting shall report to the board at its next quarterly or special meeting the result of  
6 his visit, the condition of the prisons and prisoners, what changes, if any, should be made  
7 in 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 the 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 to aid said commissioners in the discharge of their  
4 duties and to assist in carrying out the provisions of this act.

SEC. 9. Upon the recommendation of said commissioners the Governor may conditionally  
2 pardon any prisoner of the first-class, and six months thereafter, if, in the opinion of the  
3 commissioners the previous conduct of such prisoner shall warrant, the Governor may, on  
4 their recommendation, grant him an unconditional pardon, but no petition or other form of  
5 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 twelve  
3 hundred dollars per annum, to be fixed by the board at their first meeting, and annually  
4 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  
8 salaries, compensation to commissioners and expenditure shall be paid out of any money in  
9 the treasury not otherwise appropriated. All bills and claims against the State under this  
10 act shall be duly verified and paid only on 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 con-  
3 taining a copy of the indictment, the name and residence of the judge who presided at the  
4 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.