

**THE STATUTES OF
IOWA:
PAROLE LAW, 1916**

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The Statutes of Iowa: Parole Law, 1916 by Various

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VARIOUS

**THE STATUTES OF
IOWA:
PAROLE LAW, 1916**

State of Iowa

Parole Law

The Statutes of Iowa pertaining to the Board of Parole, maximum indeterminate sentence and parole of prisoners; also the law as to pardons, paroles from the bench, good time to trusties, honor time and escapes from parole; also rules of the Board and index to crimes



—1916—

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1916

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Bd. of Parole

**THE LAW PERTAINING TO THE BOARD
OF PAROLE, MAXIMUM INDETER-
MINATE SENTENCE AND PAROLE
OF PRISONERS. ALSO THE LAW AS
TO PARDONS, PAROLES FROM THE
BENCH, GOOD TIME TO TRUSTIES,
HONOR TIME, AND ESCAPES FROM
PAROLE.**

Sec. 5718-a4. **The Reformatory.** Hereafter the penitentiary at Anamosa shall be officially known and designated as "the reformatory," and shall be the reformatory department of the state penitentiary of Iowa. (32 G. A., Ch. 192, Sec. 1.)

Sec. 5718-a5. **Commitments.** Any male person who shall be committed to the penitentiary after the fourth day of July, nineteen hundred and seven (except those convicted of murder, treason, sodomy or incest), and who at the time of commitment is between the ages of sixteen and thirty years, and who has never before been convicted of a felony, shall be confined in the reformatory; provided, however, that persons between the ages of sixteen and thirty years convicted of rape, robbery, or of breaking and entering a dwelling house in the night-time with intent to commit a public offense therein, may, as the particular circumstances may warrant, in the discretion of the court, be committed to either the reformatory at Anamosa, or the penitentiary at Fort Madison. (32 G. A., Ch. 192, Sec. 2.)

Sec. 5718-a6. **Insane department.** The criminal insane shall continue to be confined in the insane department at Anamosa, as provided in section fifty-seven hundred and nine of the code. (32 G. A., Ch. 192, Sec. 3.)

Sec. 5718-a7. **Transfer of prisoners for violation of rules or insubordination.** Any male prisoner confined in the reformatory may be transferred to the penitentiary at Fort Madison, upon order of the board of control, for violation

of the rules of the reformatory or for insubordination and a like transfer may be ordered by said board whenever it shall be of the opinion that a prisoner is not a hopeful subject for reformatory treatment. (32 G. A., Ch. 192, Sec. 4.)

Sec. 5718-a8. Transfer of prisoners over age limit—former convictions. If it shall appear at any time after conviction and incarceration in the reformatory that a prisoner was over thirty years of age at the time of commitment, he shall be at once transferred to the prison at Fort Madison, and he shall likewise be transferred if it shall appear that he had, prior to the last conviction, been convicted of a felony in Iowa or elsewhere. (32 G. A., Ch. 192, Sec. 4½.)

Sec. 5718-a9. What prisoners retained in reformatory—transfer of life prisoners. The board of control may retain in the reformatory such persons as have been or are committed to the penitentiary at Anamosa for crimes committed on or prior to July fourth, nineteen hundred and seven, except that all persons convicted of murder in the first degree and all persons sentenced to life imprisonment shall be kept and confined in the prison at Fort Madison and a transfer shall be made as soon as reasonably convenient after July fourth, nineteen hundred and seven, from the reformatory to the prison at Fort Madison of the persons named in this exception, provided that prisoners committed for life who are now beyond fifty-five years of age shall not be removed. (32 G. A., Ch. 192, Sec. 5.)

Sec. 5718-a10. Transfer when Fort Madison penitentiary is overcrowded. Whenever there is unoccupied room in the reformatory and the prison at Fort Madison is overcrowded, the board of control may, in its discretion, transfer from the prison at Fort Madison well-behaved and most promising convicts, who are confined for their first offense. The prison at Fort Madison shall be deemed to be overcrowded when the number of inmates exceeds the number of cells. (32 G. A., Ch. 192, Sec. 6.)

Sec. 5718-a11. Employment of inmates. The inmates of the reformatory shall be employed only on state account, which employment shall be con-

ductive to the teaching of useful trades and callings so far as practicable, and the intellectual and moral development of the inmates; provided, however, that the inmates of the reformatory may be employed to complete any contracts for prison labor to be performed in the penitentiary at Anamosa. (32 G. A., Ch. 192, Sec. 7.)

Sec. 5718-a12. Registers and records. The board of control shall cause to be kept at the reformatory and penitentiary such registers and records of prisoners for the use of the board of parole as may be approved by the executive council. (32 G. A., Ch. 192, Sec. 8.)

Sec. 5718-a13. Indeterminate sentences. After July fourth, nineteen hundred and seven, whenever any person over sixteen years of age is convicted of a felony, committed subsequent to July fourth, nineteen hundred and seven, except treason or murder, the court imposing a sentence of confinement in the penitentiary shall not fix the limit or duration of the same, but the term of such imprisonment shall not exceed the maximum term provided by law for the crime of which the prisoner was convicted; provided that if a person be sentenced for two or more separate offenses and the second or further term is ordered to begin at the expiration of the first and such succeeding term of sentence is specified in the order of commitment, the several terms shall for the purpose of this act be construed as one continuous term of imprisonment; and provided that where one is convicted of a felony that is punishable by imprisonment in the penitentiary, or by fine, or by imprisonment in the county jail, or both, the court may impose the lighter sentence if it shall so elect. (32 G. A., Ch. 192, Sec. 9.)

Sec. 5718-a14. Board of Parole—terms—office—supplies—compensation—secretary—salary—duties—employees. Prior to the adjournment of the thirty-second general assembly, the governor, with the advice and consent of the senate, shall appoint three electors of the state, not more than two of whom shall belong to the same political party, and one member of whom shall be a duly licensed attorney at law, as members of a board to be known as a board of parole.

Said members shall hold office, as designated by the governor, for two, four and six years, respectively; subsequent appointments shall be made as provided above, and shall be for a term of six years, except appointments to fill vacancies, which shall be for the unexpired term. The terms of the members first appointed shall commence July first, nineteen hundred and seven, and the chairman of the board shall be the member whose term first expires. Appointments made when the general assembly is not in session shall be subject to the approval of the senate when next in session. A suitable office at the capitol shall be provided for the use of the board, with such furniture and office supplies as shall be reasonably necessary for the use of the same, and such board shall hold at least four sessions each calendar year. They shall receive as compensation ten dollars per day for the time actually spent in discharge of the duties of this office, and all necessary expenses while on official business. The board of parole shall employ a competent secretary who shall receive a salary not to exceed two thousand dollars per year and necessary traveling expenses when on official business required and designated by the board. He shall keep records and perform such duties as state agent or otherwise, as shall be prescribed by the board. They may employ such other employes as the executive council may authorize by written resolution. (35 G. A., Ch. 33, Sec. 1; 34 G. A., Ch. 189, Sec. 1; 33 G. A., Ch. 3, Sec. 1; 32 G. A., Ch. 192, Sec. 10.)

Sec. 5718-a15. **Appropriation.** There is hereby appropriated from any funds in the state treasury not otherwise appropriated sufficient thereof to pay the salaries and expenditures herein authorized. (32 G. A., Ch. 192, Sec. 11.)

Sec. 5718-a16. **Traveling expenses—emergency trips.** The secretary and other employes shall be entitled to their necessary traveling expenses by the nearest traveled and practicable routes incurred in going from Des Moines to the penitentiaries or other places in the State when on official business. No expenditure for traveling expenses to other States shall be made by the board or any officer or agent thereof unless the

authority to make such trip is granted at a meeting of the board upon a written resolution adopted by the board, which shall state the purpose of such trip and the reason the same is deemed necessary. Emergency trips may be made upon written order of the chairman, which shall be reported to the board at its next meeting. (32 G. A., Ch. 192, Sec. 12.)

Sec. 5718-a17. **Itemized statement of expenditures—how approved and paid.** Before any expenses or per diem of the members of the board or any officer or agent thereof, or any expense incurred by others under the direction of the board shall be paid, a minutely itemized statement of such expenditures shall be presented to the proper authorities, duly verified, which certification shall aver that the expense bill is just, accurate and true, and is claimed for cash expenditures or cash disbursements truly and actually paid and made to the parties named as shown by said statement herein. Unless the said statement is so verified and duly audited, payment thereof shall not be made. The expense bills of the members of the board, the secretary and its other employes, when so verified, shall be presented to the executive council for their written audit before payment is made. The salaries and actual expenses of the board, the secretary and other employes shall be paid monthly by the treasurer of the state upon the warrant of the auditor of state. (32 G. A., Ch. 192, Sec. 13.)

Sec. 5718-a18. **Rules and regulations governing paroles—parole before commitment.** The board of parole shall have power to establish rules and regulations under which it may allow prisoners within the penitentiaries other than prisoners serving life terms to go upon parole outside of the penitentiary building, enclosures and appurtenances, but to remain while on parole in the legal custody of the wardens of the penitentiaries and under the control of the said board of parole and subject, at any time, to be taken back and confined within the penitentiary; it may, on the recommendation of the trial judge and county attorney, and when it shall appear that the good of society will not suffer thereby,