

COUNTY INSTITUTION FOR DELINQUENT WOMEN LAW

Act of Mar. 9, 1927, P.L. 24, No. 13

Cl. 61

AN ACT

Authorizing counties singly, or two or more counties acting together, to purchase land and erect buildings thereon, or to erect or add to and improve buildings already erected on lands owned by a county, for an institution for the detention of delinquent women sentenced to imprisonment for one year or less; and regulating the establishment, management and maintenance of such institutions, and the reception, treatment, training, employment and instruction of inmates therein, and the transfer of delinquent women from county prisons thereto or to other institutions in certain cases.

Compiler's Note: Section 1051 of Act 447 of 1929 provided that Act 13 is repealed except insofar as it relates to counties of the first class.

Section 1. Be it enacted, &c., That the county commissioners of any county, or the county commissioners of two or more counties acting together, by and with the approval of the Department of Welfare, shall have the authority, and are hereby authorized, to purchase a farm or plot of ground and erect buildings thereon, or add to and improve buildings already erected and make improvements thereon and thereto; or to erect buildings or add to and improve buildings already erected on land already owned by such county or counties,--as may be convenient and necessary for the use and purpose of providing a separate institution for the detention, maintenance, employment and education of delinquent women of such county or counties as hereinafter provided.

Section 2. Such institution shall receive and maintain women who have been convicted of, or plead guilty to, the commission of any criminal offense punishable under the laws of this State and who have been sentenced to imprisonment for one year or less. All the laws applicable to prisoners so far as they relate to the commutation of imprisonment for good behavior, all existing parole laws now applicable to prisoners in county jails, and all laws with respect to escaped prisoners, shall be applicable to the inmates of such institution.

Section 3. Whenever two or more counties acting together shall erect any such institution they shall bear the expenses of establishing and maintaining such institution as follows: The original cost of the site and buildings of the institution and all additions thereto, and all fixed overhead charges in conducting the institution, shall be paid by the said counties in the ratio of their population according to the last preceding United States census. The cost of the care and maintenance of the inmates shall be certified monthly to the counties from which inmates have been committed. Such cost shall be paid by the counties establishing such institution, in proportion to the number of inmates committed from each county. All payments shall be on requisition of the authorities in charge of such institution and on warrant of the county commissioners countersigned by the county controller: Provided, however, That nothing in this section shall prevent the counties from agreeing to a different basis for apportioning the expenses.

Section 4. The Department of Welfare is hereby authorized and directed to prescribe certain minimum standards of equipment, management and administration of such institutions, and to require conformity with such standards of equipment, management and administration.

Section 5. Such institution shall be under the control of the prison authorities of the county or counties establishing such institution, subject to the inspection and supervision of the Department of Welfare as in the case of county institutions supervised by such department as provided by the Administrative Code and by an act approved the twenty-fifth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, one thousand one hundred forty-four), entitled "An act creating a Department of Public Welfare; defining its powers and duties; abolishing the Board of Public Charities, the Committee on Lunacy, and the Prison Labor Commission, and all offices thereunder, and vesting all the powers of said board, committee and commission in the Department of Public Welfare; requiring all reports, notices, statements, or matters, heretofore required to be made, given, or submitted to the Board of Public Charities or the Committee on Lunacy, to be made, given, or submitted to the Department of Public Welfare; and providing penalties." The prison authorities shall provide a system of treatment, training, employment and instruction in such institution as may be useful to the inmates thereof, and shall appoint a woman superintendent of such institution, who shall hold office during the pleasure of the prison authorities.

Compiler's Note: The Department of Public Welfare, referred to in this section, was redesignated as the Department of Human Services by Act 132 of 2014.

Section 6. Such institution shall receive prisoners of other counties on such terms and conditions as may be agreed upon by such counties. In the case of failure to agree, the Department of Welfare shall prescribe the terms and conditions for receiving such prisoners. The county from which such prisoner shall be sentenced shall pay the expenses of transportation to and from such institution.

Section 7. Should the Department of Welfare, upon investigation, find any condition to exist in any county prison of this State which in its opinion is unsuitable to the proper maintenance, custody, welfare or training of the women inmates thereof, or of the women committed thereto, or being treated, detained or residing therein, it shall require and supervise the transfer of such women prisoners to any institution established by this act or to any public penal or correctional institutions or private incorporated institution subject to the supervision of the Department of Welfare: Provided, That such transfer shall be made with the consent of the court by which the prisoner was committed, and, in case of transfer to a private institution, with the consent of the institution to which such transfer is made: Provided, however, That this section shall not apply to any prisoner sentenced for a period of more than one year. Thereafter the courts of such county shall commit all women prisoners who have been sentenced for a period not to exceed one year direct to the institution designated by the Department of Welfare.

Section 8. In the case of transfer to a public or private incorporated institution the transfer shall be under the terms and conditions prescribed by the Department of Welfare, and such prisoners transferred shall remain subject to all laws applicable to prisoners confined in institutions established by this act.

Section 9. The earnings of such inmates shall accrue to the benefit of the county or counties establishing such home, except such portion as the Department of Welfare shall credit to each

inmate to be paid on her discharge or before, as provided by the Department of Welfare.

Section 10. All the property, real and personal, authorized to be held by virtue of this act shall be exempt from taxation.

Section 11. If any provision of this act shall be held by any court to be unconstitutional, such judgment shall not affect any other section or provision of this act.