

*Prison & Penitentiary*  
**RULES *and* REGULATIONS**  
*for the*  
**GOVERNMENT *and* DISCIPLINE**  
*of the*  
**IOWA STATE PENITENTIARY**



**OFFICIALS**

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9475  
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159  
1936

*Fort Madison, Iowa*  
*1936*

**RULES AND REGULATIONS**  
*for the*  
**GOVERNMENT and DISCIPLINE**  
*of the*  
**IOWA STATE PENITENTIARY**  
*at*  
**FORT MADISON, IOWA**

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**OFFICIALS**

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**1936**

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Rule 1. When off duty, guards must not discuss Penitentiary affairs or become a source of information pertaining thereto. They must not associate with the wife or relative of any convict. Violation of this rule shall be grounds for dismissal.

Rule 2. Any employee of this institution giving any prisoner cash, money, or contraband articles, or trading with them in any way will be discharged and prosecuted according to law.

Rule 3. The guards are the assistants of the Warden in enforcing the discipline and seeing that the work of the institution is properly done.

Rule 4. It shall be the duty of the guards to report promptly at the hours designated, and not absent themselves on any pretext or excuse except by permission of the Deputy Warden.



Rule 5. While on duty, guards shall refrain from whistling, scuffling, immoderate laughter, boisterous conversation, exciting discussions on politics, religion or other subjects, and all other acts calculated to disturb the good order of the institution.

Rule 6. In their intercourse among themselves, the officers and guards of the Penitentiary are required to treat each other with mutual respect and courtesy.

Rule 7. While on duty they shall not be engaged in reading or writing, other than making necessary entries, or in any other employment calculated to interfere with constant care and vigilance.

Rule 8. They shall not under any circumstances correspond with prisoners, or with any outside parties, for or in behalf of prisoners, or assist in conducting any such correspondence, or be a medium of communication in any way between prisoners and outsiders, or one prisoner and another,

Rule 9. They shall keep prisoners under their charge diligently at work at the several occupations designated by their foreman.

Rule 10. They shall not permit prisoners to hold conversation with ~~each other or with~~ citizens.

Rule 11. They shall require of prisoners the greatest possible cleanliness as to their person and clothing, and in their work shops and cells.

Rule 12. They shall instruct the prisoners in all the rules of the Penitentiary necessary for their government, and admonish them on the least appearance of insubordination.

Rule 13. In all their intercourse with prisoners they must be careful to maintain a quiet demeanor under any provocation, remembering that the prisoner, however disposed to be violent or abusive, is entirely in their power.

Rule 14. Refractory or disobedient prisoners should be regarded as under arrest and the Deputy Warden called. Do not strike a prisoner except in self-defense or in defence of another prisoner or an officer.

Rule 15. When a prisoner is guilty of any infraction of the prison rules report the fact in writing or in person to the Deputy Warden, stating fully the nature of the offence.

Rule 16. It shall be the duty of the guards to keep constant watch over prisoners at work to see that, while pretending to be engaged on the work given them to do, they are not in reality doing something else. Prisoners must not be allowed to leave their work without permission.

Rule 17. In forming their opinions with respect to the industry of a prisoner, officers will bear in mind that as one prisoner may be able to do more work in a given time than another, so their reports will have regard more to the continuous labor of the prisoner, the care bestowed upon it and evidence of his desire to do all he can, than to the absolute quantity he does, as compared with others. An amount of work which may be sufficient for one man may be quite insufficient for another. and the officer's report will be made accordingly.

Rule 18. No officer or any other employee shall



sell to, buy from, or receive from, or deliver to a prisoner any article or thing whatsoever without permission from the Warden.

Rule 19. When a prisoner is sent from one part of the Penitentiary to another, the officer sending him shall give him a pass, stating the place from which, and the place to which, or person to whom he is sent. Care shall be taken that the pass is delivered up by the prisoner, and that he is not too long away.

Rule 20. When a prisoner is obliged to go to the toilet, the guard in charge will take care that he cannot leave without being seen, and that only one prisoner is permitted to be in the toilet at the same time. Also that he is absent for a reasonable time only. Any delay in such cases should arouse suspicion and the guard should immediately make certain that all is right.

Rule 21. Guards will not take the statement of one prisoner against another on which to make a report for punishment.

Rule 22. Guards absent at roll call must report the cause of their absence to the Deputy who is required to keep a careful and correct written record of all delinquencies of the guard force.

Rule 23. When marching in line each guard must see that the men of his company do not talk to each other. Each guard should tell his men of this rule and thereafter report each infraction of it with a written report to the Deputy. The prisoners must march in close order, keeping step, head up and to the front hands hanging naturally at side.

RULE 24. When the lock-up is made each prisoner must be up to the door so that the guard making the lock-up can see that he is alive and that there is no dummy used in any way. Each guard will be held responsible for the lock-up he makes.

### WALL GUARDS

RULE 25. Wall guards shall keep their firearms in perfect order and not less than twenty rounds of ammunition in their tower.

RULE 26. They shall keep a strict watch and each guard will be held responsible for any escape over the part of the wall under his observation.

RULE 27. No reading matter of any kind will be permitted in the towers.

RULE 28. While patrolling the wall guard must carry his gun.

RULE 29. If for any reason the Wall Guard cannot see clearly all that part of the wall under his supervision, he shall at once inform the Deputy Warden.

RULE 30. Wall guards are warned to be especially vigilant at early and late hours, during dark and foggy days, and at times when the prisoners are unlocked and in the yard.

RULE 31. If prisoners approach the wall in an unwarranted way the guard shall warn them away, and if an effort is made to escape he will open fire on them.

### GATE GUARDS

RULE 32. Gate Guards shall inspect all vehicles going in and coming out of the Penitentiary to guard



against escape by concealment in such vehicles. Vehicles not used in the conduct of the Penitentiary shall not be allowed to enter without a written pass.

RULE 33. They shall be held responsible that no prisoner passes out other than those with written permission.

RULE 34. The Gate Guard is in a position to be especially watchful over the interests of the Penitentiary. It is his duty to promptly report to the Warden or Deputy Warden anything he may discover threatening the peace or security of the institution.

RULE 35. He shall allow no one to congregate in the gateway and shall search all prisoners passing in and out if he has any reason to suspect that they have contraband articles concealed about them.

#### CAPTAIN OF THE NIGHT GUARDS

RULE 36. The Captain of the Night Guards shall be held responsible for the security of the prisoners, the buildings inside the walls, the grounds immediately surrounding the institution, and see that good order is maintained during the night. He shall make a report to the Deputy Warden of any unusual occurrence or violations of the rules and regulations of the Penitentiary that may have taken place during the night. It shall be his duty to call the Warden or Deputy Warden at any hour during the night that he may regard their presence necessary.

RULE 37. It shall be his duty to make a thorough inspection of the Penitentiary any time during the night--often enough to convince himself of the watchfulness of his subordinates in the different parts of the prison.

Rule 38. He shall require of all night guards and foremen who work inside the walls at night, a strict compliance with all rules of the Institution.

Rule 39. He shall not leave the Penitentiary during the time he is on duty until properly relieved.

Rule 40. The Night Guard in the hospital shall observe with regard to the inmates of the Hospital, and attend conscientiously to the wants of the sick.

#### CELL HOUSE

Rule 41. It shall be the duty of the guards in the cell house at night to move around the corridors and ranges so that they may be able to detect any unnecessary noise. They are strictly enjoined not to hold conversation with the prisoners except to make known their immediate needs. They must use their utmost vigilance to suppress unusual noises of any kind and report any violation of rules by prisoners in their cells to the Cell House Captain.

#### CELL HOUSE CAPTAIN

Rule 42. The Cell House Captain shall see that the utmost cleanliness prevails in the Cells and corridors, that the building is thoroughly ventilated and warmed when necessary, and that the cells are regularly supplied with the regular issues of tobacco, soap and other supplies.

Rule 43. As soon as the prisoners are locked up, each guard having charge of a range shall report to the Deputy Warden the number he has locked up and the "Outs," at the same time turning over the keys.

Rule 44. Letters, newspapers, packages, etc. shall



be carefully and promptly delivered to their respective addresses. Cell House men are not permitted to examine or inspect either incoming or outgoing prisoners' mail. The Cell House Captain shall examine the cell and gratings frequently to see that they are in a good and secure condition. He shall also examine and search cells and report the presence of any contraband articles to the Deputy Warden.

#### FOREMEN

Rule 45. Foremen shall see that the men under their charge labor faithfully and diligently and they shall report to the guard in charge the names of prisoners who fail in this respect.

Rule 46. When prisoners wilfully fail to carry out the instructions of a foreman, or use threatening defiant, and impudent language, or commit any other act endangering the peace and discipline of the Penitentiary, immediate report should be made to the guard in charge.

Rule 47. Foremen shall not hold intercourse with prisoners other than those employed or superintended by them, nor upon any subject other than the work under their control.

#### GENERAL RULES

Rule 48. Every employee should bear constantly in mind the nature of the Institution into the service of which he enters, the peculiarities of the duties he will have to perform as an Officer, Guard, or Foreman, and the moral obligations he is understood to assume with reference to his own personal conduct. He must therefore not only feel it his duty to see that the rules of the Penitentiary are observed by the

prisoners placed under him, but also understand that he must conduct himself in such a way as to inspire the respect of the prisoners.

RULE 49. He must acquaint himself with the laws governing the Penitentiary, and also the rules and regulations and obey them himself. He must devote his best energies and abilities, industriously and faithfully, to the performance of his duties, and any man who cannot do so cheerfully should not accept and cannot retain a position here.

RULE 50. Guards or Foremen are strictly prohibited from taking books, newspapers, or other reading matter inside the Penitentiary, and are absolutely prohibited from leaving any citizen's clothing inside the yard, cell house, or shops except as specifically provided.

RULE 51. Employees shall not under any circumstances carry letters, messages, or articles of any kind in or out of the Institution for a prisoner. Any employee caught with a message from a prisoner will be considered as assisting such prisoner to escape and will be given the full penalty of the law.

RULE 52. Employees are prohibited from using profane, indecent, abusive, or insulting language toward prisoners, and are required to refrain at all times from the use of such language about the Penitentiary.

RULE 53. All employees are prohibited from discussing the manner in which any Officer, Guard, or employee performs his duty, and from making any remarks which might tend to reflect on the character or management of such Officer, Guard, or employee.



They are also prohibited from discussing in the presence of prisoners, matters relating to the discipline or management of this or similar institutions.

**RULE 54.** No Officer or Guard will be permitted, except in emergency, to exchange duties with another without first obtaining permission of the Deputy Warden.

**RULE 55.** It is highly improper and submersive of discipline for Officers, Guards, or employees to interest themselves in the application of any prisoner for pardon, commutation of sentence, writ of Habeas Corpus, or to be in any way concerned therewith.

**RULE 56.** Every guard must understand that it is his duty to preserve the peace of the prison and prevent escape of prisoners. In case of mutiny or attempt to escape, he should give the offending prisoner warning, if possible, but when in his judgement the time has arrived to fire he must aim to hit and disable or kill the offender.

**RULE 57. Sec. 3748. ACCORDING PROHIBITED PRIVILEGES.** If any officer or other person employed in either of said institutions or its precincts, negligently suffer any convict confined therein to be at large without its precincts, or out of the cell or apartment assigned to him, or to be conversed with, relieved, or comforted contrary to law or the rules of the institution, he shall be punished by a fine not exceeding five hundred dollars,

**RULE 58. Sec. 3749. FAILURE TO PERFORM DUTY.** Any person required to perform any duty relative to either of said institutions who willfully fail to perform the same, shall be punished by a fine

not exceeding one thousand dollars, and shall forfeit his office. Should said failure result in the escape of any of the convicts, or in loss of the funds appropriated to the use and benefit of said institution, exceeding twenty dollars, he shall be punished by imprisonment in the penitentiary for a term not less than two nor more than ten years.

**RULE 59. Sec. 3767. HARD LABOR AND SOLITARY IMPRISONMENT.** All commitments to either of said institutions must be at hard labor. Solitary imprisonment of prisoners shall not be employed except for the purpose of discipline.

**RULE 60. INSURRECTION.** Every officer and citizen of the state within reach shall, by every means within their power, suppress and aid in suppressing any insurrection among the convicts in said institutions, and prevent and aid in preventing the escape or rescue of any convict therefrom, or from any legal confinement, or from any person in whose custody a convict may be. If in the performance of this duty or in arresting or assisting to arrest a convict, who has escaped or been rescued, such officer or person wound or kill the convict, or a person aiding or assisting him, the same shall be held justifiable.

**RULE 61. Sec. 3768. ENFORCING OBEDIENCE TO ORDERS.** Any officer of said institution and his assistants shall, in case a prisoner resists his lawful authority, or refuses to obey his lawful commands, enforce immediate obedience by the use of such weapons or other aids as may be effectual, and if in so doing, such convict is wounded or killed, such officer and his assistants shall be justified.



**RULE 62. Sec. 13351. PRISON BREACH---ESCAPE---PUNISHMENT.** If any person committed to the penitentiary or to the men's or women's reformatory shall break such prison and escape therefrom or shall escape from or leave without due authority any building, camp, farm garden, city, town, road, street or any place whatsoever in which he is placed or to which he is directed to go or in which he is allowed to be by the warden or any officer or employee of the prison whether inside or outside of the prison walls, he shall be deemed guilty of an escape from said penitentiary or reformatory and shall be punished by imprisonment in said penitentiary or reformatory for a term not to exceed five years, to commence from and after the expiration of the term of his previous sentence.

**RULE 63. Sec. 13352. ACTUAL BREAKING NOT NECESSARY.** In order to constitute an escape under the provisions of the preceeding section, it is not necessary that the prisoner be within any walls or enclosure nor that there shall be any actual breaking nor that he be in the presence or actual custody of any officer or other person.

**RULE 64. Sec. 13365. AIDING ESCAPES. BRINGING LIQUOR OR DRUGS TO INMATES.** Any person not authorized by law, who shall bring or pass or cause to be brought into any penitentiary, reformatory, workhouse, training school, institution for feeble minded children, or hospital of the state, or onto the grounds

therefore, or into any enclosure, building, camp, quarry, farm, garden, or other place used in connection with any such institution in which prisoners, patients, or other inmates are required or permitted to be, any opium, morphine, cocaine, other narcotic, or any intoxicating liquor, or any firearm, weapon, or explosive of any kind, or any rope, ladder or other instrument or device for use in making or attempting an escape, or shall in any manner aid in such an escape, shall be punished by imprisonment in the penitentiary or reformatory for a term not exceeding five years.

**Rule 65. Sec. 13366. PLACING DRUGS AND ARTICLES NEAR INSTITUTIONS.** Any person not duly authorized by law who shall place or cause to be placed or aid in placing any of the drugs, liquors, weapons, explosives, or other articles hereinbefore enumerated in or near any road, park, path, walk, grove, hedge, or field where any prisoner, patient, or other inmate of the state institutions specified in the preceding section is, or likely to be, with intent that the drug, liquor, weapon, explosive, or other article so placed shall be found by or shall pass into the possession of any such prisoner, patient, or other inmate, shall be punished by imprisonment in the penitentiary or reformatory for a term not exceeding five years, or by a fine of not more than one thousand dollars nor less than one hundred dollars.



Rule 66. Sec. 13367. PRESUMPTIVE EVIDENCE. The bringing or passing or causing to be brought into any of the places designated in Sections 13365 and 13366, of any rope, ladder, or other instrument or device adapted for use in making an escape, shall be presumptive evidence that it was so brought or passed for such use, and the leaving of any drug, liquor, weapon, explosive, or any other article enumerated in said sections in or near any of the places specified in said sections with the knowledge that any prisoner, patient, or other inmate is likely to be in such place, shall be presumptive evidence that such article was so left to be found by or to pass into the possession of such prisoner, patient, or other person in violation of said sections.

Rule 67. Sec. 13368. ATTEMPT TO COMMIT ACT. An attempt to do any of the acts prohibited by Sections 13365 and 13366 shall be subjected to the same punishment as the completed act.

Rule 68. Sec. 13359. SUFFERING LIFE PRISONERS TO ESCAPE. If any jailor or other officer voluntarily suffer any prisoner in custody upon a charge or conviction of a felony punishable by imprisonment for life to escape, he shall be imprisoned in the penitentiary not more than ten years.

Rule 69. Sec. 13360. SUFFERING OTHER FELONS TO ESCAPE. If any jailor or other officer voluntarily suffer any prisoner in his custody upon a charge or conviction of any other felony to escape, he shall be imprisoned in the penitentiary not more than eight

years, or be fined not more than one thousand dollars.

RULE 70. Sec. 13361. SUFFERING OTHER PRISONERS TO ESCAPE. If any jailor or other officer suffer any prisoner in his custody upon or a conviction of any public offense to escape, he shall be fined not exceeding one thousand dollars and be imprisoned in the penitentiary not exceeding five years.

RULE 71. Sec. 13362. ASSISTING FELON TO ESCAPE. If any person by any means whatsoever aid or assist any prisoner lawfully detained in the penitentiary, or any jail or place of confinement, for any felony, in an attempt to escape, whether such escape be effected or not, or forcibly rescue any person held in legal custody upon any criminal charge, he shall be imprisoned in the penitentiary not exceeding ten years, or be fined not exceeding five hundred dollars and imprisoned in the county jail not exceeding one year.

RULE 72. Sec. 13363. ASSISTING OTHER PRISONERS TO ESCAPE. Every person who by any means whatsoever aids or assists any prisoner lawfully committed to any jail or place of confinement charged with or convicted of any criminal offense other than a felony, in an attempt to escape whether such escape be effected or not, or who conveys into such jail or place of confinement any disguise, instrument, arms or other things proper or useful to facilitate the escape of any prisoner so committed, whether such escape



be effected or attempted or not, shall be imprisoned in the county jail not exceeding one year, or be fined not exceeding five hundred dollars or both fined and imprisoned, at the discretion of the court.

**RULE 73. Sec. 13364. ASSISTING ESCAPE FROM OFFICER.** Every person who aids or assists any prisoner in escaping, or attempting to escape from the custody of any sheriff, deputy sheriff, marshal, constable or other officer or person who has the lawful charge, with or without a warrant, of such prisoner upon any criminal charge, shall be fined not exceeding one thousand dollars and imprisoned in the penitentiary not exceeding five years.

**RULE 74. Sec. 13339. UNLAWFUL ASSEMBLY.** When three or more persons in a violent or or tumultuous manner assemble together to do an unlawful act, or, when together, attempt to do an act, whether lawful or unlawful, in an unlawful, violent, or tumultuous manner, to the disturbance of others, they are guilty of an lawful assembly, and shall be imprisoned in the county jail not more than thirty days, or be fined not exceeding one hundred dollars.

**RULE 75. Sec. 13340. RIOT DEFINED.** When three or more persons together and in a violent or tumultuous manner commit an unlawful act, or together do a lawful act in an unlawful, violent, or tumultuous manner, to the disturbance of others, they are guilty of a riot, and shall be punished as provided in the preceeding section.

**Rule 76. Sec. 13341. ONE PERSON MAY BE TRIED AND CONVICTED ALONE.** Any person guilty of unlawfully assembling, or of a riot may alone be tried and convicted thereof, but it must be alleged in the information and proved in the trial that three or more persons engaged therein.

**Rule 77. Sec. 13347. RIOTOUS CONDUCT—INJURY TO PERSON OR PROPERTY:** If any person or persons, unlawfully or riotously assembled, pull down, injure, or destroy, or begin to pull down, injure, or destroy any dwelling house or other building, or destroy or attempt to injure or destroy any boat or vessel, or perpetrate any premeditated injury on the person of another, not being a felon, shall be imprisoned in the penitentiary not more than five years, or be fined not exceeding five hundred dollars and imprisoned in the county jail not more than one year, and shall be answerable to any person injured to the full amount of the damages by him sustained.

**Rule 78. Sec. 13400. HABITUAL CRIMINAL DEFINED.** Whoever has been twice convicted of crime, sentenced, and committed to prison, in this or any other state, or by the United States, or once in this state and once at least in any other state, or by the United States, for terms, not less than three years each shall upon conviction of a felony committed in this state after the taking effect of this section be deemed to be an habitual criminal, and shall be punished by im-



prisonment in the penitentiary for a term of not more than twenty-five years, provided that no greater punishment is otherwise provided by statute in which case the law creating the greater punishment shall govern.

Rule 79. Sec. 3779. DISCHARGE—TRANSPORTATION, CLOTHING, and MONEY. When a prisoner is discharged the warden shall furnish him at the expense of the state, with a railroad ticket to the point in the state nearest his home or to any point of a like distance without the state, a suit of common clothing, and not more than twenty-five dollars, an account of which shall be kept by the warden.

Rule 80. Sec. 3796. CLOTHING, TRANSPORTATION and MONEY. When a prisoner is paroled, he shall be furnished, by the warden, with such clothing, transportation, and money as provided for prisoners when discharged at the termination of their sentence but no further allowance shall be made if final discharge is granted while on parole.

Rule 81. Sec. 3781. WHO MAY VISIT. The following persons are authorized to visit said institutions at pleasure: the governor, secretary of state, auditor of state, treasurer of state, secretary of agriculture, members of the general assembly, judges of the supreme, district, superior, and municipal courts, county attorneys, and all regular officiating ministers

of the gospel. No other person shall be granted admission except by permission of the warden.

Rule 82. Sec. 3778. SPECIAL REDUCTION. Any prisoner in either of said institutions who may be employed in any service outside the walls of the institution, or who may be listed as a trusty, may, with the approval of the board of control, be granted a special reduction of sentence, in addition to the reduction heretofore authorized, at the rate of ten days for each month so served.

The preceding rules and regulations are published for the information and guidance of officer's, employees, guards, and foremen of this institution.

Be loyal to this Institution above all things.

Be loyal to your trust and to your duty.

Effective, September 1, 1933. They will be obeyed and respected accordingly.

GLENN C. HAYNES, Warden.



of the hospital. No other person shall be admitted  
to the hospital except by permission of the physician in charge.

**RULES FOR SPECIAL REDUCTION**

Any person in charge of such institution who may  
be employed in any capacity outside the walls of the  
institution, or who may be held as a trustee, must  
with the approval of the board of control, be given  
a special reduction of sentence in addition to the  
reduction herein authorized, in the rate of ten  
days for each month so served.

The preceding rules and regulations are published  
for the information and guidance of officers, employ-  
ees, friends, and donors of the institution.

The foregoing this institution shows all things as it

is hereby recommended and in your duty.

Witness my hand and seal this 1st day of

and signed accordingly.

JOHN C. HAYES, Warden

It is hereby recommended and in your duty.

Witness my hand and seal this 1st day of

and signed accordingly.

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