

## CHAPTER 186.

[S. B. 96.]

CUSTODY AND TREATMENT OF CRIMINAL, DELINQUENT  
AND DISEASED WOMEN.

AN ACT relating to the custody, training and treatment of delinquent and diseased women, establishing a public institution therefor, providing for its location, construction and management, creating a board of directors therefor, defining its powers and duties, prescribing the procedure for commitment to and parole and discharge from said institution, making appropriations for the construction and maintenance thereof, and declaring that this act shall take effect immediately.

*Be it enacted by the Legislature of the State of Washington:*

SECTION 1. That there is hereby established a public institution of the state to be known as the "Women's Industrial Home and Clinic", for the purpose of receiving, taking into custody, detaining, confining, caring for, training, reforming, treating and curing such delinquent or diseased women as may be committed to it as provided by law. Said institution shall consist of such lands and buildings as may be authorized by law, and shall be located, constructed, equipped, maintained and managed by a board of five directors, two of whom shall at all times be women, appointed by the governor.

SEC. 2. Within sixty days after the taking effect of this act the governor shall appoint five directors, three of whom shall at all times be members of the state board of control, and two of whom shall be women. The women members shall be appointed for terms ending, one on May 31st, 1922, and one on May 31st, 1924, and upon the expiration of their respective terms the governor shall appoint a successor for a term of five years. The governor shall also fill by appointment any vacancies that shall occur for any unexpired term or terms. All such appointments shall be for fitness and of a non-

Women's  
Industrial  
Home and  
Clinic es-  
tablished.

Board of  
directors.

Appoint-  
ment and  
compensa-  
tion.

partisan character. The governor shall have the power to remove any of said directors for cause. Such directors shall receive no compensation for their services, but shall be paid their actual and necessary traveling expenses incurred while engaged in the performance of their official duties. Three members of the board of directors shall constitute a quorum for the transaction of business.

SEC. 3. The board of directors are hereby authorized, and it shall be their duty to acquire by purchase, gift, or appropriation in the name of the state, a suitable site for said institution of not less than two hundred acres of arable land, to the end that, so far as practicable, the food of the inmates of the institution may be produced thereon, which land shall have an ample supply of water and shall be conveniently accessible to transportation facilities: *Provided*, the board may, if practicable, take over and use for such institution any site now owned by the state, and the board may, pending the selection of a permanent site and the construction of the necessary buildings, purchase, lease or otherwise acquire and use temporarily any site and buildings that may be suitable for the purposes of this act.

Acquisition  
of site for  
institution.

SEC. 4. The directors shall cause to be prepared plans and specifications for remodeling or erecting on such site necessary buildings for a suitable plant for the institution, which plans shall provide for cottages to be arranged for the proper classification of inmates as to the character and needs of such inmates, including proper hospital and clinic facilities, and the directors shall furnish and equip the same ready for use.

Building  
plans.

Contracts shall be made by the directors, and those involving an expenditure of over five hundred dollars (\$500.00) shall be duly advertised and competitive bids received thereon, no member of the

Bids for  
contracts.

board of directors to have financial interest therein. In connection with the remodeling or erecting of the various cottages and buildings comprising the plant of the institution no building permit shall be required from the municipal corporation in which such institution may be located.

Opening of  
institution.

When such buildings have been prepared and equipped and the necessary staff of officers organized, the directors shall so certify to the governor, who shall thereupon issue a public proclamation that the institution is ready for the reception of inmates, and shall cause a copy of such proclamation to be sent to each judge of the superior court and to each justice of the peace in the state.

Transfers of  
inmates of  
State School  
for Girls.

SEC. 5. The superintendent of the State School for Girls may transfer to the Women's Industrial Home and Clinic such female persons over sixteen years of age as may in the judgment of such superintendent and the board of directors of said Women's Industrial Home and Clinic be better cared for at said institution.

Manage-  
ment of  
institution.

SEC. 6. The directors shall have control of said institution, determine the policy of the same, and make necessary rules and regulations for the care, support, discipline, detention, training, education and labor of the inmates, including a system of general and vocational instruction, domestic science and employment in useful trades: *Provided*, that no system of contract labor shall be established.

Said board of directors shall provide proper recreational facilities, form a board of parole and discharge, cause to be kept proper records, including those of inmates, establish a credit system which shall provide that not less than twenty-five per cent of the sum accredited to any inmate shall be paid to her at the time of her absolute release from said institution.

Said board shall fix the salaries of the officers of said institution; appoint from their own number a president and secretary who shall hold office for such length of time as the board may determine; hold meetings at least quarterly at said institution, and audit the accounts of the superintendent quarterly.

Officers and salaries.

The directors shall report annually to the governor the general and financial condition of said institution, with such recommendations as they may desire to make, a copy of which report shall be sent to the secretary of state.

Annual reports.

SEC. 7. The directors shall appoint and remove at discretion a superintendent of said institution who shall be a woman, not of their number, and who before entering upon the duties of her office shall give a bond to the state with sufficient surety in the sum of five thousand dollars (\$5,000.00), and shall be sworn to faithful performance of her duties. The superintendent shall receive such compensation as shall be fixed by the directors and shall reside at the institution.

Superintendent, bond and compensation.

SEC. 8. The superintendent shall manage said institution and shall have control over the inmates thereof, working for the speedy return of the offender to community life as a healthy, law-abiding, self-respecting and self-supporting member thereof. She shall make rules and regulations for the administration of said institution, subject to the approval of the board of directors. The superintendent shall also, subject to the board of directors, determine the number and character, select, appoint and assign the duties, of all subordinate officers of the institution, who shall be women as far as practicable, and shall be sworn to a faithful performance of their duties.

Duties of superintendent.

There shall be a deputy superintendent, a resident physician and clerk. The clerk of the institution shall give a bond to the state with sufficient

Employees.

surety in the sum of five thousand dollars (\$5,000.00). The resident physician shall be legally qualified to practice medicine and surgery in the State of Washington, and shall have power to call consulting physicians when necessary.

Commitment of female offenders.

SEC. 9. From and after the proclamation of the governor, provided for in section 4 of this act, all women over sixteen years of age belonging to any of the following classes sentenced to imprisonment by any court of criminal jurisdiction may be committed to and confined in, and all women over eighteen years of age belonging to any of the following classes sentenced to imprisonment by any court of criminal jurisdiction must be committed to and confined in said institution:

First: Women convicted of or who plead guilty to the commission of felonies, except murder in the first and second degree, arson in the first degree, and robbery, who have not been twice before convicted in this state or elsewhere of crimes which under the laws of this state would amount to felonies.

Second: Women convicted of or who plead guilty to the commission of gross misdemeanors or misdemeanors as defined by law.

The court imposing sentence on offenders of either of the above classes shall not fix the time of such commitment. Commitment to such institution shall be executed, within one week after sentence is imposed, by a woman guard appointed by the court for that purpose or sent from said institution on notice of the issuance of the commitment. The expenses of such commitment shall be paid in the same way as commitment to other penal institutions of the state. The trial court shall cause a record of the case to be sent with commitment papers on blanks furnished by the institution.

Delinquent or dependent minors.

Any girl between the ages of sixteen and eighteen years who shall be found to be delinquent or depend-

ent under the provisions of chapter 160 of the laws of 1913, may be committed to said institution, and if committed, the commitment shall be executed by a juvenile officer, or a woman guard from said institution.

The duration of such commitment for Class 1, including the time spent on parole, shall not exceed the maximum term specified by law for the crime for which the offender was sentenced, and in such cases it shall be the duty of the trial court to specify the maximum term for which the offender may be held under commitment.

Term of  
confinement.

The duration of such commitment for all other classes shall not exceed three years unless, in the opinion of a board of experts composed of one jurist and two physicians one of whom shall be a recognized neurologist, a longer detention shall be recommended.

If, through oversight or otherwise, any person be sentenced to confinement in said institution for a definite period of time, such sentence shall not for that reason be void but the person so sentenced shall be entitled to the benefits and subject to the liabilities of this act in the same manner and to the same extent as if sentence had been given in the terms required by this section; and in such cases said board of directors shall deliver to such offender a copy of this act and written information of her relation to said board.

Immediately upon the arrival of any person committed to said institution a careful physical and mental examination of such person shall be made by a competent physician.

Physical  
examina-  
tions.

SEC. 10. Said board of directors shall constitute a board of parole and discharge. Any inmate of the institution who has been in confinement within said institution may upon recommendation of the superintendent be allowed to go on parole in the discretion

Parole and  
discharge  
of inmates.

of the majority of said board of parole, under the following conditions: That she is in good physical condition and free from any contagious diseases, has ability to earn an honest living, has a satisfactory institutional record based on the merit system, and a proper home to which she may go, or suitable employment has been secured in advance by the board of parole. Each person paroled or discharged from the institution shall be given, if the superintendent deems it best, suitable clothing and transportation expenses and, if such person has no money to her credit, not less than five dollars (\$5.00) in money.

Authority is conferred on said board of parole to establish such rules and regulations as it may deem necessary, setting forth the conditions upon which inmates may be discharged upon parole, and to enforce such rules and regulations and provide suitable supervision by agents of the institution.

SEC. 11. While upon parole each inmate of said institution shall remain in the legal custody and under the control of the board of directors, and subject at any time to be taken back to said institution for any reason that shall seem sufficient to said board. Whenever any paroled inmate of said institution shall violate her parole and be returned to the institution, she may be required to serve the unexpired term of her maximum sentence, including the time she was out on parole, or any part thereof, in the discretion of the board of directors, or she may be paroled again if said board of parole so decide. The request of said board of directors, or any person authorized by the rules of said board, shall be sufficient warrant to authorize any officer of said institution or any officer authorized by law to serve criminal process within this state, to return any inmate on parole into actual custody; and it shall be the duty of police officers, constables and sheriffs to arrest and hold any paroled inmate when so requested,

Violation  
of parole.

Arrest.

without any written warrant, and, for the performance of such duty, the officer performing the same, except officers of said institution, shall be paid by the board of directors of said institution out of the institution funds such reasonable compensation as is provided by law for similar services in other cases.

SEC. 12. If any inmate shall escape from said institution or from any keeper or officer having her in charge or from her place of work while engaged in working outside of said institution, she shall be returned to said institution when arrested, and may be disciplined in such manner as the board of directors may determine. All the provisions of section 11 relating to the arrest and return of paroled inmates shall apply to the arrest and return of escaped inmates. Escapes.

SEC. 13. The board of directors may transfer to the state prison any inmate of said institution who shall appear to said board to be incorrigible, or whose presence in said institution may be seriously detrimental to its well-being: *Provided*, such inmate was originally so committed, subject to be returned upon requisition of the board of directors. The directors may transfer to any other appropriate state institution any inmate whose welfare the board, after proper study and examination of her case, shall decide may be best cared for at such other institution. Whenever any inmate of said institution shall be, in the judgment of the board of directors, in need of special medical attention, such inmate may be transferred to a hospital or other appropriate state institution, subject to return upon requisition of the board of directors. The board of directors may transfer to any of the Washington hospitals for the insane any inmate of said institution who may be insane, but no inmate of said institution shall be transferred except upon the written certificate of Transfers  
to state  
prison or  
other insti-  
tutions.

two competent physicians not connected with the institution, to the effect that such inmate has become insane, and any inmate declared to be insane shall have a right to appeal to the superior court for the county in which said institution is located from said order of transfer. Upon the written certification of the superintendent of any of the Washington hospitals for the insane that an inmate transferred has become cured of her insanity, the directors shall, by requisition, require the return of such inmate to said institution.

Discharge.

SEC. 14. If it shall appear to said board of directors, acting as a board of parole and discharge, that any inmate on parole, although not having yet reached her maximum term, has maintained a satisfactory parole record and will continue, if discharged, to lead an orderly life, said board, by a unanimous vote of all the members present at any stated meeting thereof, may discharge such inmate from said institution.

Infant children of inmates.

SEC. 15. If any woman committed to said institution is, at the time of her commitment, the mother of a child under two years of age, or shall give birth to a child while an inmate of said institution, such child may be retained in said institution, until it attains the age of two years, when the board of directors shall cause such child to be placed in an asylum or home for children, or in the care and custody of some relative or proper person willing to assume such care, and if necessary, the board may pay the reasonable cost of maintenance of said child, until the mother shall be discharged. Any child over the age of two years at the time of the commitment of its mother to said institution, may, if found delinquent or dependent, be committed to proper care and custody under the provisions of the juvenile court law.

Appropriation,  
\$150,000.00.

SEC. 16. There is hereby appropriated out of any money in the state treasury, not otherwise ap-

propriated, the sum of one hundred fifty thousand dollars (\$150,000.00), or so much thereof as may be necessary to carry out the provisions of this act, for the construction and maintenance of the Women's Industrial Home and Clinic.

SEC. 17. If any provision or section of this act is, for any reason, held to be invalid or unconstitutional, such holding shall not affect the validity of the act as a whole, or any other part thereof. Partial  
invalidity.

SEC. 18. This act is necessary for the immediate preservation of the public health, peace and safety, and shall take effect immediately. Emergency.

Passed the Senate February 28, 1919.

Passed the House March 11, 1919.

Approved by the Governor March 20, 1919.

## CHAPTER 187.

[S. B. 195.]

### SMALL CLAIMS DEPARTMENT OF JUSTICES' COURTS.

AN ACT creating "small claims department of justice's courts", defining their jurisdiction and providing a system of practice and procedure therefor.

*Be it enacted by the Legislature of the State of Washington:*

SECTION 1. That in every justice's district of this state there shall be created and organized by the justice of the peace thereof a department to be known as the "small claims department of the justice's court", which shall have jurisdiction, but not exclusive, in cases for the recovery of money only where the amount claimed does not exceed twenty dollars (\$20.00), and where the defendant resides within the district of such justice court. Organization  
of depart-  
ment.