

No. 418

AN ACT

To amend the act, approved the twenty-eighth day of April, one thousand eight hundred eighty-seven (Pamphlet Laws 63), entitled, as amended, "An act in relation to the imprisonment, government and release of inmates in the Pennsylvania Industrial School at Camp Hill, Cumberland County, Pennsylvania," by changing the power to sentence to said school; limiting the maximum period of imprisonment; authorizing the Pennsylvania Board of Parole to terminate imprisonment; and providing for transfers.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Sections four and six of the act, approved the twenty-eighth day of April, one thousand eight hundred eighty-seven (Pamphlet Laws 63), entitled, as amended, "An act in relation to the imprisonment, government and release of inmates in the Pennsylvania Industrial School at Camp Hill, Cumberland County, Pennsylvania," as amended by the act, approved the thirtieth day of June, one thousand nine hundred fifty-one (Pamphlet Laws 974), are hereby further amended to read as follows:

Pennsylvania
Industrial
School.

Sections 4 and 6,
act of April 28,
1887, P. L. 63, as
amended by act
of June 30, 1951,
P. L. 974, further
amended.

Section 4. [Any court in this Commonwealth, exercising criminal jurisdiction, may sentence to the said school any male criminal, between the ages of fifteen and twenty-one years and not known to have been previously sentenced to a State prison, State penitentiary, State reformatory, or to an industrial school of reformatory grade in this or any other State or *country, upon the conviction in such court of such male person of a crime punishable under existing laws in a State prison, State penitentiary, State reformatory, or to an industrial school of reformatory grade. And the said board of trustees shall receive and take into said school all male prisoners of the class aforesaid, who shall be legally sentenced on conviction as aforesaid; and all existing laws requiring the courts of this Commonwealth to sentence to the State prison, State penitentiary, State reformatory, or to an industrial school of reformatory grade male prisoners convicted of any criminal offense between the ages of fifteen and twenty-one years, and not known to have been previously sentenced to a State prison, State penitentiary, State reformatory, or to an industrial school of reformatory grade in this Commonwealth, or any other State or country, shall be applicable to the said school, so far as to enable courts to sentence the class of prisoners so last defined to said school and not to a State prison or State penitentiary.] *Any court in this Commonwealth exercising criminal jurisdiction, in lieu*

* "county" in original.

Sentencing of certain male criminals, between ages of 15 and 21 years, to such school.

Proviso.

Court not to fix or limit duration of sentence to said school.

Maximum term.

Said act amended by adding, immediately following section 6, a new section numbered 6.1.

Transfers to said school.

Retransfers from said school to other institutions.

Section 10, said act, as amended by act of June 30, 1951, P. L. 974, further amended.

of sentence now provided by law, may sentence to the Pennsylvania Industrial School at Camp Hill any male criminal, between the ages of fifteen and twenty-one years and not known to have been previously sentenced to a State penitentiary in this or any other state or country. The board of trustees of said institution shall receive and take into said school all male prisoners, of the class aforesaid, who shall be legally sentenced on conviction as aforesaid: Provided, however, That such court shall not sentence to said school any person convicted of first or second degree murder or any other crime where the penalty is fixed at life imprisonment.

Section 6. [Every sentence to the reformatory, of a person hereafter convicted of a felony or other crime, shall be a general sentence to imprisonment in the said Pennsylvania Industrial School, and the courts of this Commonwealth imposing such sentence shall not fix or limit the duration thereof. The term of such imprisonment of any person so convicted and sentenced shall be terminated by the board of trustees, as authorized by this act; but such imprisonment shall not exceed the maximum term, provided by law, for the crime for which the prisoner was convicted and sentenced.] *The courts, in sentencing to said industrial school, shall not fix or limit the duration of sentence, but the time which any such person shall serve in said industrial school or on parole shall not in any case exceed six years or the maximum term provided by law for the crime for which the prisoner was convicted and sentenced, if such maximum be less than six years. The term of imprisonment may be terminated by the Pennsylvania Board of Parole in accordance with its rules and regulations formally adopted.*

Section 2. Said act is hereby amended by adding, immediately following section six, a new section to read as follows:

Section 6.1. The deputy commissioner for treatment of the Bureau of Correction may transfer from any other institution to said industrial school any person under twenty-one years of age who has been convicted of murder and sentenced to a term of years, or who has been sentenced to life imprisonment upon conviction of murder or any other crime which allows such penalty. In no case shall such person be confined in said industrial school after reaching the age of twenty-one years, but thereupon he shall be retransferred to the institution originally designated as the place of confinement or such other institution to which he may be legally transferred.

Section 3. Section ten of said act, as amended by the act, approved the thirtieth day of June, one thousand nine hundred fifty-one (Pamphlet Laws 974), is hereby further amended to read as follows:

Section 10. [The board of trustees shall have the power to transfer temporarily to the State prison, State penitentiary, State reformatory, or industrial school of reformatory grade of the proper district any prisoner who, subsequent to his committal, shall be shown to their satisfaction to have been, at the time of his conviction, more than twenty-one years of age, or to have been previously convicted of crime; and may also so transfer any apparently incorrigible prisoner, whose presence in the school appears to be seriously detrimental to the well being of the institution. And such trustees may, by written requisitions, require the return to the school of any person who may have been so transferred.] The said board of trustees shall [also] have [power to make all rules and regulations necessary and proper, and not contrary to the Constitution and laws of this Commonwealth, for the employment, discipline, instruction, education, removal, and absolute, temporary, or conditional release of all convicts in said industrial school, and shall have] authority to prevent the escape of convicts at all hazards. *The Pennsylvania Board of Parole shall have exclusive jurisdiction to parole said convicts, in accordance with the provisions of the act, approved the sixth day of August, one thousand nine hundred forty-one (Pamphlet Laws 861), as amended.*

Escape of convicts.

Parole of convicts.

APPROVED—The 29th day of July, A. D. 1953.

JOHN S. FINE

No. 419

AN ACT

To further amend section one of the act, approved the eleventh day of July, one thousand nine hundred twenty-three (Pamphlet Laws 1044), entitled "An act to authorize and provide for the transfer and retransfer of person or persons confined in any penitentiary, prison, workhouse, house of correction, or any other institution for adult prisoners, under sentence of law, to some other prison, penitentiary, workhouse, house of correction, or other institution for adult prisoners," by providing for transfers by the Deputy Commissioner for Treatment of the Bureau of Correction in the Department of Justice.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section one of the act, approved the eleventh day of July, one thousand nine hundred twenty-three (Pamphlet Laws 1044), entitled "An act to authorize and provide for the transfer and retransfer of person or persons confined in any penitentiary, prison, workhouse, house of correction, or any other institution for adult prisoners, under sentence of law, to some other prison, penitentiary, workhouse, house of correction, or

Penal institutions.

Section 1, act of July 11, 1923, P. L. 1044, as amended by act of April 23, 1929, P. L. 640, further amended.