

**CHAPTER 641**

**COUNTY JAILS**

**641.01 CONSTRUCTION, MAINTENANCE**

HISTORY. 1858 c 81 s 1, 9; PS 1858 c 119 s 25, 33; GS 1866 c 120 s 1, 3; GS 1878 c 120 s 1, 3; 1893 c 157 s 1; GS 1894 s 7417; 1903 c 198; RL 1905 s 5462; GS 1913 s 9334.

A county is not authorized to pay any part of the expense of rebuilding a village jail. A village may fix the price at which county prisoners will be received in jail. There is no statutory authority for county to jointly engage with the village in the construction and operation of a jail or lockup. OAG Dec. 21, 1948 (127-B).

Laws 1951, Chapter 256, authorizing certain counties to issue and sell certificates of indebtedness not exceeding \$200,000 for the purpose of constructing and equipping a county jail, does not include the building of an apartment for the personal use of the jailer or sheriff. OAG Aug. 22, 1951 (127-B).

**641.02 FUGITIVES FROM JUSTICE, HOW KEPT; COMPENSATION**

HISTORY. 1858 c 81 s 10; PS 1858 c 119 s 34; GS 1866 c 120 s 4; GS 1878 c 120 s 4; 1893 c 157 s 2; GS 1894 s 7418; RL 1905 s 5463; GS 1913 s 9335.

**641.03 UNITED STATES PRISONERS**

HISTORY. RS 1851 c 133 s 22, 23; PS 1858 c 119 s 22, 23; GS 1878 c 120 s 5, 6; 1893 c 157 s 3, 4; GS 1894 s 7419, 7420; RL 1905 s 5464; GS 1913 s 9336; 1917 c 304 s 1; 1931 c 91.

**641.04 COMMITMENT PRESERVED**

HISTORY. 1858 c 81 s 6-8; PS 1858 c 119 s 30-32; GS 1866 c 120 s 16-18; GS 1878 c 120 s 16-18; 1893 c 157 s 5, 6; GS 1894 s 7421, 7422; RL 1905 s 5465; GS 1913 s 9337.

**641.05 REGISTER OF PRISONERS; RETURN TO COURT**

HISTORY. RS 1851 c 133 s 10, 11; PS 1858 c 119 s 10, 11; GS 1866 c 120 s 10, 11; GS 1878 c 120 s 10, 11; 1893 c 157 s 7, 8; GS 1894 s 7423, 7424; RL 1905 s 5466; GS 1913 s 9338.

**641.06 OFFICERS APPOINTED BY SHERIFF**

The duties of the office of sheriff do not usually require that he act as jailer but there is no reason why the office of sheriff and of jailer should not be held by the same person at the same time and compensated for each duty. OAG Jan. 13, 1951 (390-A-18).

**641.07 LABOR OF JAIL PRISONERS**

HISTORY. RS 1851 c 133 s 14; PS 1858 c 119 s 14; GS 1866 c 120 s 12; GS 1878 c 120 s 12; 1893 c 157 s 10; GS 1894 s 7426; 1897 c 127 s 1, 2; RL 1905 s 5468; 1913 c 373 s 1; GS 1913 s 9340.

The provision in section 641.07 that a prisoner imprisoned for violation of a city ordinance, bylaw, or police regulation and performing labor under that statute may be paid a reasonable compensation is permissive and not mandatory. OAG July 25, 1952 (91-G).

# MINNESOTA STATUTES 1953 ANNOTATIONS

## 641.11 COUNTY JAILS

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The earnings of a prisoner may be paid to such person as the court sentencing him may direct. OAG Dec. 13, 1947 (91-I).

### 641.11 COMPENSATION FOR BOARDING PRISONERS

HISTORY. 1893 c 157 s 11; GS 1894 s 7427; RL 1905 s 5472; 1909 c 192 s 1; GS 1913 s 9344; 1917 c 184 s 1; 1933 c 251; 1935 c 262; 1943 c 198 s 1; 1945 c 69 s 1; 1947 c 38 s 1; 1949 c 186 s 1; 1953 c 296 s 1.

The county may pay the sheriff not to exceed \$1.50 a day for board and washing for a prisoner. The limit is positive. It is not a question of how much it is worth. OAG Sept. 5, 1947 (559-A).

When a person is convicted under a city ordinance the city is liable for the board of the prisoner, but if the prosecution is under state law the county must pay the sheriff for the prisoner's board. OAG Aug. 9, 1948 (559-A).

While the sheriff, under the provisions of section 641.11, is entitled to \$2 per day for boarding prisoners, the commissioner of highways under the provisions of section 161.03, subdivision 22, may pay only \$1.50 a day for the boarding of his prisoners. OAG June 10, 1953 (390-A-16).

### 641.12 COLLECTION OF BOARD BILLS

Costs authorized to be assessed against the defendant in a criminal case do not include his board either before or after trial. OAG July 10, 1952 (266-B-7).

The county pays for the board of a prisoner convicted under state law, while the city pays for the board of a prisoner convicted under a city ordinance. OAG Aug. 9, 1948 (559-A).

Section 641.12 requires that at the end of each month the sheriff shall render a statement to the county auditor covering the month. The statement identifies each person committed to the jail, the amount due to the county for his board, the name of the debtor liable for the payment of the board for such person, and the total amount due to the county for board of all such persons for the preceding month. The law implies that the county auditor preserve the statement as a record of his office. It is the duty of the sheriff to collect such board bills and pay the money collected to the county. OAG Sept. 13, 1951 (559-A).

### 641.13 CHARGES, PRISONERS FROM OTHER COUNTIES

HISTORY. RS 1851 c 133 s 2, 3; 1858 c 81 s 89; PS 1858 c 119 s 2, 3; 1860 c 36 s 1; GS 1866 c 120 s 17; GS 1878 c 120 s 17; 1893 c 157 s 13; GS 1894 s 7429; 1901 c 182; RL 1905 s 5474; GS 1913 s 9346; 1929 c 320 s 1; 1951 c 319 s 1; 1953 c 299 s 1.

### 641.14 JAILS, HOW KEPT

HISTORY. 1858 c 81 s 3; PS 1858 c 119 s 27; GS 1866 c 120 s 2; GS 1878 s 120 s 2; 1893 c 157 s 14; GS 1894 s 7430; RL 1905 s 5475; GS 1913 s 9349.

### 641.15 CLOTHING, BEDDING, FOOD, AND CARE

HISTORY. RS 1851 c 133 s 8; PS 1858 c 119 s 8; GS 1866 c 120 s 8, 19; GS 1878 c 120 s 8, 19; 1893 c 157 s 15, 16; GS 1894 s 7431, 7432; RL 1905 s 5476; GS 1913 s 9350.

Section 641.15 makes it the obligation of the county to supply a prisoner in the county jail with "medical aid for prisoners." Section 641.12 requires the sheriff monthly to collect for the county all bills for board of prisoners due from any source. This includes medical aid furnished. If the prisoner is convicted of a violation he may, under the provisions of section 642.02, be sent to the county jail. The county has recourse against the city for the expense of such prisoner. The city then has recourse upon the prisoner and may collect from him if he is financially responsible. OAG Jan. 18, 1950 (91-H).

# MINNESOTA STATUTES 1953 ANNOTATIONS

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## 641.16 BIBLES AND RELIGIOUS INSTRUCTION

HISTORY. RS 1851 c 133 s 9; PS 1858 c 119 s 9; GS 1866 c 120 s 9; GS 1878 c 120 s 9; 1893 c 157 s 18; GS 1894 s 7434; RL 1905 s 5477; GS 1913 s 9351.

## 641.18 SOLITARY CONFINEMENT

HISTORY. RS 1851 c 133 s 15; PS 1858 c 119 s 15; GS 1866 c 120 s 20; GS 1878 c 120 s 20; 1893 c 157 s 21; GS 1894 s 7437; RL 1905 s 5478; GS 1913 s 9353.

## 641.19 ESCAPES, HOW PUNISHED

HISTORY. RS 1851 c 133 s 17-19; PS 1858 c 119 s 17-19; GS 1866 c 120 s 21-23; GS 1878 c 120 s 21-23; 1893 c 157 s 22; GS 1894 s 7438; RL 1905 s 5479; GS 1913 s 9354.

## 641.20 REMOVAL OF PRISONERS IN CASE OF FIRE

HISTORY. RS 1851 c 133 s 24; PS 1858 c 119 s 24; GS 1866 c 120 s 24; GS 1878 c 120 s 24; 1893 c 157 s 23; GS 1894 s 7439; RL 1905 s 5480; GS 1913 s 9355.

## ST. LOUIS COUNTY

### 641.35 QUARTERS FOR JUVENILE AND HANDICAPPED PERSONS

The county board may appropriate funds to provide separate facilities for juveniles. OAG May 1, 1953 (145-B-1).

## RAMSEY COUNTY

### 641.39 SHERIFF TO BOARD PRISONERS

HISTORY. 1927 c 191 s 1; 1937 c 164 s 1; 1949 c 59 s 1.

### 641.40 COUNTY TO EQUIP KITCHEN

HISTORY. 1927 c 191 s 2; 1937 c 164 s 2.

### 641.41 SHERIFF TO APPOINT EMPLOYEES

HISTORY. 1927 c 191 s 3; 1937 c 164 s 3.

### 641.42 LIMIT TO COMPENSATION OF EMPLOYEES

HISTORY. 1927 c 191 s 4; 1937 c 164 s 4.

### 641.43 SHERIFF TO KEEP RECORD

HISTORY. 1927 c 191 s 5; 1937 c 164 s 5.

### 641.44 SHERIFF MAY EMPLOY TRUSTIES IN KITCHEN

HISTORY. 1927 c 191 s 6; 1937 c 164 s 6.