

SENATE BILL NO. 2357

Introduced by

Senators Nelson, Lyson

Representatives Gruchalla, Koppelman

1 A BILL for an Act to amend and reenact section 12-44.1-09 of the North Dakota Century Code,
2 relating to the housing of inmates.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 12-44.1-09 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **12-44.1-09. Housing of inmates.** Each correctional facility shall adopt a classification
7 system for inmates to provide for the security, safety, and order of the correctional facility and
8 for the safety and security of the community. If the correctional facility has adopted a
9 classification system approved by the department of corrections and rehabilitation, the
10 correctional facility is not required to comply with subsections 3, 4, and 5 of this section. In
11 grade one and grade two correctional facilities and, where practicable, in grade three
12 correctional facilities, the following groups of inmates must be housed separately from each
13 other:

- 14 1. Female inmates from male inmates.
- 15 2. ~~Juveniles~~ Juvenile offenders from ~~adults~~ adult offenders.
- 16 3. Persons detained for hearing or trial from inmates under sentence of imprisonment,
17 unless authorized to be housed together by the administrator for security, order, or
18 rehabilitation.
- 19 4. Persons detained for hearing or trial or under sentence of imprisonment from
20 persons otherwise detained by order of the court, unless authorized to be housed
21 together by the administrator for security, order, or rehabilitation.
- 22 5. Inmates who may have special needs as determined by the correctional facility or
23 whose behavior may present a serious threat to the safety or security of the
24 correctional facility, the staff, the inmate, or other inmates.