



# County Technical Assistance Service

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## Federal Prisoners

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Dear Reader:

The following document was created from the CTAS electronic library known as e-Li. This online library is maintained daily by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other e-Li material.

Sincerely,

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## Federal Prisoners

**Reference Number:** CTAS-1343

The jailer is liable for failing to receive and safely keep all persons delivered under the authority of the United States to the like pains and penalties as for similar failures in the case of persons committed under authority of the state. However, the marshal or person delivering such prisoner under authority of the United States is liable to the jailer for fees and the subsistence of the prisoner while so confined, which shall be the same as provided by law for prisoners committed under authority of the state. The jailer will also collect from the marshal 50 cents a month for each prisoner, under the resolution of the first Congress, and pay the same to the county trustee forthwith, to be accounted for by the trustee as other county funds. T.C.A. § 41-4-105. *United States v. Hill*, 60 F. 1005, 1009 (6th Cir. 1894) (holding that where the sheriff is civilly responsible for the safe keeping of prisoners committed to his care, and any party aggrieved may sue on his official bond in the name of the state, the United States may, in such an action, recover, for allowing the escape of a prisoner under indictment by a federal grand jury, the expenses of the arrest and keeping of the prisoner, and money expended in recapturing him).

Pursuant to 18 U.S.C. 4002, for the purpose of providing suitable quarters for the safekeeping, care, and subsistence of federal prisoners, the United States attorney general may contract, for a period not exceeding three years, with the proper state or county authorities for the imprisonment, subsistence, care, and proper employment of federal prisoners. Federal prisoners may be employed only in the manufacture of articles for, the production of supplies for, the construction of public works for, and the maintenance and care of the institutions of the state or political subdivision in which they are imprisoned. The rates to be paid for the care and custody of said persons must take into consideration the character of the quarters furnished, sanitary conditions, and quality of subsistence and may be such as will permit and encourage the proper authorities to provide reasonably decent, sanitary, and healthful quarters and subsistence for such persons.

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