

This is a concern that just didn't pop up when we rang in the new year in 1996. This situation relative to our increasing prison population has been before us for a number of years. Some of my concerns relative to this, first of all, I think that it has a high degree of potential that it will in fact delay the permanent decision to build the 480-bed permanent facility. This is a short-term emergency approach that I think will just provide enough of a relief to delay what we...should have already been done, in my opinion. The Appropriations Committee made a preliminary decision, as we do in a number of cases, to not fund this, as the Chairman indicated, and we decided as a response that we would try to address the root problem and that being providing some funds on a preventative nature, of a preventive nature to help with the juvenile service...juvenile issue, who in fact will be, if we don't do anything, the individuals that will be confined to these units in the next three to five years. The other thing that we did was provided planning money that would in fact lay the commitment for the permanent facility to be developed. The threat of the lawsuit that is one of the arguments that we need to act and act now has been before us for a couple of years, that's not new. But most importantly, I want to direct the membership to look at is some of the testimony that was provided to the Appropriations Committee by Director Harold Clarke. The first indicated, and I'm going to pass this out so you'll be able to read it, building modular units to house Nebraska's growing prison population does not solve the overcrowding problem in my estimation. Director Clarke indicated in his testimony, and I quote, "We are estimating that by the time these beds" (the modulars) "come on line the percent that...by which we exceed our capacity today will be the same." I think the modulars create a very serious problem that we need to make sure we know about before we proceed farther. I'll once again quote Director Clarke. "Modulars pose a number of problems for correctional practitioners. First of all, they are military-style barrack type structures. They're open bays. You have problems with assaults, inmates versus inmates. You have problems with staffing, supervision.

PRESIDENT ROBAK: One minute.

SENATOR MAURSTAD: If there's a fight between two offenders it can easily escalate to the entire thing. You can't lock people down in rooms because there are no rooms." He went on to share