

construction. They were in the process, and as a matter of fact, there may have been 2 projects, 400 may have been just one of the 2 projects that were on-line. Those beds were under construction, not promised in the future, but actual construction so at that time the courts understood that we were moving forward on solving the problem. And I believe, I don't have a copy of the decision here and I can try to get it, but I believe the indication was specifically referred to in the opinion that there are these projects going on.

SENATOR BERNARD-STEVENS: Okay. Thank you, Senator Lindsay. And I'll continue on this subject a little bit later on some of the other amendments. Members of the body, one of the concerns that I'm going to be talking about when we get to that point and Senator Wehrbein has an amendment, might be two amendments down. I don't know if he'll bring it to a vote or not, but I'll certainly be supporting the concept and that's the old concept of 507 that was ruled unconstitutional by the court. If we as a body are going to say we're going to get tougher on crime, which we have, and the public has said that's what they want us to do, we still cannot continue to dodge the bullet and say we're not going to follow up with what we've done with the proper dollars to build the facilities that would house the prisoners that we're going to have. In my judgment at this point, and maybe the discussion will alleviate those fears, I think you could build two, three, or four modulars and they will be filled. They will be filled very quickly. And you're still going to have to build a new prison. It's still going to have to be done. But no one in a political year, and I'm not talking about the Legislature particularly, no one in the upper echelons of office want to bite the bullet and say we're going to spend the dollars to do so. I suspect they'll be more willing to bite the bullet after November 7 and maybe the Lieutenant Governor will have to bite a bigger bullet and it will fall on her lap. Who knows at this particular point? The point being the following: if we're going to say we're going to do the tough crime, we've got to put the dollars, if in fact we're going to have to build a prison at some point anyway, do we want to do it now or do we want to wait two or three years later where it's going to be more expensive? And at some point, we're going to have to make the tough decision of spending the dollars where our mouths were when we got tougher on crime. And I'm not convinced...I'm convinced that to some degree the modulars may help in the short term. I do not believe it's going to help if we continue the