

level. The dichotomy between the two lines will continue to expand and we'll continue to have more and more problems. Senator Bernard-Stevens mentioned what one of those problems is and I've been looking and I was hoping to have it by the time I got a chance to talk so I could discuss a little bit more the rationale of the court the last time we had a situation, litigation involving our overcrowding issues. But I think Senator Bernard-Stevens did mention what one of the considerations that will be taken up by the court will be. What are they doing about it? I suspect that a court saying, well, we read in the paper that they really, really, really promised to do something about it next year, is probably not going to carry much weight. If they look at a prison system that, as Senator Wehrbein mentioned, depending on which portion of that system you're looking at is in some cases pushing 200 percent of capacity, the projections for 1998 have the state pen at over 200 percent, have DEC at 265 percent, have...if we look at even where we are now at the Lincoln Correctional Center and Omaha Correctional Center right around 160 percent of capacity, all of these are well above what we were at last time we had a serious challenge to our prison...to our prison system. Adding in the fact that we have no prison construction planned right now, I think sets us up for a disturbing sort of decision. I think there are those I would venture to guess when I said earlier that nobody in the body or nobody in the Chamber wants to see that, I'm guessing I was probably off maybe by one, that there may be those who want to see that; but I don't know that that is good policy on our part. Certainly if we lose control over what we're doing with our prison system, you know the public is not going to be happy with a court rather than its elected body controlling its prison system. You know the legislative body is not going to be happy with it and I think the government as a whole will not be. I think it's important that we take some preemptive action. We have two problems. One is a very short-term problem that is looming that something must be done and must be done immediately. The second problem is that I don't think there's any question that we need the additional facility. If we're going to continue to lock people up, which appears to be what the trend will be, then we have to make sure that we're providing adequate housing and adequate number of beds for those prison populations. With that again, I would urge that we adopt the Wehrbein amendment. And as I mentioned earlier on, I do have an additional amendment filed for your consideration which will increase the 200-bed modular unit...