

ENGROSSED HOUSE
CONCURRENT
RESOLUTION NO. 1097

By: Smith (Bill) of the
House

and

Lawler of the Senate

A Concurrent Resolution expressing legislative desire to consider contracting with privately operated prison facilities to ease Oklahoma's prison overcrowding subject to state funding; requesting county governments to consider contracting with private prison facilities to incarcerate county prisoners subject to county revenues; and directing distribution.

WHEREAS, public sentiment demands that more and more persons convicted of crimes be incarcerated in county jails and state prisons for longer and longer periods of time; and

WHEREAS, the growing numbers of offenders coming into the criminal justice system and the violent nature of some crimes are causing severe overcrowding conditions in both county jails and state prisons, and are placing excessive demands on already limited county and state budgets, resources and bed spaces; and

WHEREAS, Oklahoma's prison system previously was under a federal court order for approximately ten years due to inadequate prison conditions and overcrowding, and the situation occurring at this time is of great concern to the members of the Legislature as county jails and state prisons continue to be overburdened by incarcerating more prisoners than the facilities and their infrastructures were designed to accommodate, and the lack of adequate funds for facility improvements; and

WHEREAS, to construct new county jails and state prisons takes a long time in planning, bid process, site selection, and actual construction time, and the criminal justice system situation does not have the necessary time for numerous new construction projects, and lacks the means of funding any new construction or expansions, and most importantly, lacks long term revenues at this time for the management and operation of new county or state facilities; and

WHEREAS, present state law allows private prison contractors to manage, build and operate county prison facilities which house federal or other state's prisoners, and to contract with the Department of Corrections, subject to legislative appropriation and approval, to incarcerate Oklahoma's state prisoners in privately operated facilities; and

WHEREAS, some of Oklahoma's counties have or are ready to build privately managed jails or prison facilities as an economic development enterprise for their area; and

WHEREAS, it may be in the best interests of public safety and the criminal justice system for the Legislature to further consider contracting with these private prison contractors to incarcerate some of the overpopulation of prisoners that burdens our county jails and state prison facilities; provided, the cost of such contracts would be less than or equal to the cost now attributable to the Department of Corrections' incarceration and operational costs for prisoners; and, provided further, that the security levels, necessary accreditations, management and operation of such private facilities are in accordance with local, state and federal laws pertaining to lawful custody of prisoners.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 44TH OKLAHOMA LEGISLATURE, THE SENATE CONCURRING THEREIN:

THAT it is the desire of the Legislature to at some future date consider contracting with private prison contractors for the

incarceration of certain state prisoners who are in overcrowded state facilities within the state criminal justice system, subject to legislative approval and appropriation of funds for such purpose.

THAT the Legislature requests county governments at some future date to individually or jointly consider contracting with private prison contractors to incarcerate county prisoners who are in overcrowded or severely aged county jails, subject to the approval of the county's commissioners and appropriation of county revenues.

THAT copies of this resolution be distributed to the Director of the Department of Corrections and to the President of the Oklahoma Sheriffs and Peace Officers Association.

Adopted by the House of Representatives the 19th day of May, 1994.

of _____ Speaker _____ of the House
s _____ Representative

Adopted by the Senate the ____ day of _____, 1994.

Senate _____ President _____ of the