

ENROLLED SENATE
JOINT
RESOLUTION NO. 34

By: Long (Lewis) of the Senate

and

Thornbrugh and Satterfield
of the House

A Joint Resolution creating a special committee to study the county jails and sheriffs' offices of this state; naming committee; stating membership; providing for scope of investigation; defining purpose; providing authority and duties of the special committee; providing for travel reimbursements; stating governance of committee; requiring a report of findings and recommendations; directing distribution; and declaring an emergency.

WHEREAS, the spiraling costs of state appropriations to the Department of Corrections has increased from Thirty-eight Million Dollars (\$38,000,000.00) in 1976 to approximately Two Hundred Million Dollars (\$200,000,000.00) in 1995, and continues to steadily climb; and

WHEREAS, in 1975, the total number of state prisoners in Oklahoma's correctional facilities was approximately two thousand nine hundred (2,900) and presently the system has approximately eighteen thousand seven hundred (18,700) prisoners; and

WHEREAS, the state has now transported nearly five hundred (500) state prisoners to the State of Texas due to Oklahoma's lack of appropriate facilities to incarcerate such prisoners in this state and the state is paying Texas private jail facilities an average of Thirty-nine Dollars (\$39.00) per day for each Oklahoma prisoner; and

WHEREAS, the state's correctional facilities and criminal code have been under constant study for more than twenty (20) years without reducing the overcrowding problems or offering relief to the counties; and

WHEREAS, the county jails are obligated to incarcerate all of the state and county prisoners until legally released or transferred to the Department of Corrections and the jails have become so severely overcrowded and underfunded that a severe crisis situation exists; and

WHEREAS, the county jails of this state were receiving Two Dollars and fifty cents (\$2.50) per day from the county for each prisoner incarcerated in 1975, and twenty (20) years later are only receiving Three Dollars and fifty cents (\$3.50) per day from the county for each prisoner incarcerated or Seven Dollars (\$7.00) per day from the state for each prisoner pending transfer to the Department of Corrections; and

WHEREAS, the rate of incarceration continues to exceed the design capacity of existing correctional facilities and county jails despite barracks-style housing and authority for use of tents; and

WHEREAS, the county sheriffs are required by law to operate the county jails and maintain certain standards for prisoners; and

WHEREAS, the county sheriffs have no systematic method to seek improvements, funding, reforms, or assistance through any agency and

are dependant on their own individual abilities to seek beneficial changes through their respective board of county commissioners, district attorney, or the Department of Corrections in order to ease the burdens of providing housing, medical care, food, clothes, and other legal obligations to prisoners; and

WHEREAS, the problems underlying the condition of the state's criminal justice system and the sheriffs offices' and county jails' conditions are complex and demand immediate attention.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 45TH OKLAHOMA LEGISLATURE:

SECTION 1. There is hereby created a special committee to be called the "Jail Task Force". The Jail Task Force shall be composed of twenty (20) members to study the situation of the county jails and sheriffs' offices of this state. Ten members shall be legislators, five of whom shall be Senate members appointed by the President Pro Tempore of the Senate and five of whom shall be House members appointed by the Speaker of the House of Representatives. The remaining ten members shall be sheriffs, five of whom shall be appointed by the President Pro Tempore of the Senate and five of whom shall be appointed by the Speaker of the House of Representatives.

SECTION 2. The Jail Task Force shall have the duty to study the situation of the county jails and sheriffs' offices of this state, including, but not limited to: jail standards and operations; the actual costs of incarceration of prisoners in each county jail; the condition of each county jail; the capacity of each county jail; the practices of each sheriff's office in obtaining, budgeting and expending funds; the percentage and amount of each county's budget expended on the county jail and sheriff's expenses and any other expenses directly relating to county corrections; the local sentencing practices and policies affecting capacity and expenses of county jails or sheriff's offices; the likelihood of utilizing the County Jail Trust Authority, Section 904.1 of Title 19 of the Oklahoma Statutes; and methods to organize and fund the sheriffs' offices and county jails to create a more unified system with appropriate standards for maintenance of prisoners.

SECTION 3. All members of the Jail Task Force shall be reimbursed for their travel expenses in attending sessions of the committee according to the provisions of the State Travel Reimbursement Act, Section 500.1 et seq. of Title 74 of the Oklahoma Statutes. Nonlegislative members shall be reimbursed for travel in the same manner as legislative members by the appointing authority.

The Jail Task Force shall be a special committee of the Legislature and shall be governed by the same rules as apply to other special committees of the Legislature.

SECTION 4. The Jail Task Force shall prepare a report of its findings and recommendations and shall submit copies thereof to the President Pro Tempore of the Senate and the Speaker of the House of Representatives on the first day of the 1st Session of the 46th Oklahoma Legislature.

SECTION 5. The Secretary of State shall distribute a copy of this resolution to the Oklahoma Sheriffs' Association, and the Association shall notify each county sheriff and the board of county commissioners in each county of this resolution.

SECTION 6. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 4th day of March, 1996.

President of the Senate

Passed the House of Representatives the 2nd day of April, 1996.

Speaker of the House of
Representatives