

April 11, 1979

LB 378

SPEAKER MARVEL: Okay, Senator Chambers do you wish to speak to his amendments?

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature I want to get the amendment clear first. Senator Nichol, this says that if a person is convicted of a sex offense then 90 days prior to release the county attorney would have to take some additional action.

SENATOR NICHOL: Yes.

SENATOR CHAMBERS: Members of the Legislature, I would like to amend Senator Nichol's amendment so that it applies to any person convicted of any crime against a person. I would like to amend that so any person who commits a crime against another person, that excludes property like a stolen car or petty larceny or grand larceny or whatever puts you in the penitentiary, bad checks. But any person who commits a crime against the person would be subjected to the same procedure. I know that there is an obsession with sex in the legislature, and in certain segments of the population because of some events that have occurred throughout the state which have been very, very unfortunate and regrettable. I think when the law is to be changed, and it is going to be done in a piecemeal fashion, then we ought to deal with the broad categories of human offenses and when you are going to change conduct, not the conduct but the type of penalty and the type of proceedings that the state will undertake reference to a person who engages in that conduct, I think that it should be an across the board type of thing. When judgments are made whether a person is "treatable" or "untreatable" it becomes a matter of subjective judgment by people who would review the case. You might find three county attorneys looking at the same set of facts and they would arrive at three different opinions. You can find three psychiatrists, psychologists, or any people who make judgments about human beings and their state of mind or their state of emotional health and find differences of opinion. This is why on a given case when expert testimony is sought, each side can find experts with equally intact credentials to say opposite things about the same set of circumstances. So, since we are trying to protect society, and I presume that is what the World Herald is trying to do, because the World Herald has done as much on this bill as anybody else but the senators are the ones who cast the votes. I believe that it ought to go across the board and the amendment so that it is clear if adopted what my intent is and then I'll write it out. This procedure that Senator Nichol's amendment will deal with, the one that he is offering now, will apply to any