

discriminatory bill. This bill is gender neutral. I've said that at both levels here, and I will say it again. Right now there are more arrests being made for...of males than there are of females in Omaha for prostitution. This is not a bill that is attempting to step upon the downtrodden woman. It is a bill that is designed to make a Class I misdemeanor of soliciting prostitution, whether that's of the male or of the female. Whether the male is the person who is getting arrested for soliciting prostitution, he is still subject to those same penalties, he is still subject to the jail time, he is still subject to the fines. Whether it is the man or the woman this bill makes the act a crime. Number two, again referring to the overcrowding question, jail overcrowding, again, by eliminating or getting rid of crimes in an effort to reduce overcrowding is not the proper method to do that. If so I'm sure you would all join in eliminating DWI as an offense because it has a lot of jail time, as a matter of fact it has mandatory jail time. If we're going to eliminate crimes because it results in more people being sent to jail then I suggest to you there are a lot of other crimes that we're going to have to eliminate. That is not the basis for not criminalizing a particular act. Finally, number three, under current state law, as a Class V misdemeanor, with a mandatory requirement of a citation, you cannot arrest a prostitute under state law, it cannot be done. You have to give a citation, just as if you were giving a citation for speeding or for running a red light, or whatever it might be, you are required to give a citation in lieu of arrest. There is no ifs, ands or buts about it. Number two, that citation can be paid, \$100 fine and that is all there is to it. That is the extent of the law, the current state of law in Nebraska right now. By voting against LB 116 you will keep that state. And, as Senator Chambers mentioned, and I don't think we've made any...we've tried to hide it, sure, the Omaha ordinance has a good chance of being declared unconstitutional. That is what prostitutes are being charged under right now. That is what the johns are being charged under right now, is under that city ordinance that if it is struck down you will have, in effect, decriminalized prostitution in Nebraska. And I think that is important. Finally, when we look at the fact that the prostitute is getting a \$100 fine and that is it, it looks as though there is no chance for rehabilitation. I think the testimony at the Judiciary Committee hearing was that the prostitutes don't get the opportunity for rehabilitation unless they are put in jail or unless they are put on probation. By continuing with the \$100 fine the prostitute will never have a chance. And I think