

SENATOR SCHIMEK: Madam President, members of the body, I arise to support the motion to bring LB 327 onto General File. And I would like to address a few of the issues that have been raised here today. I guess I would like to say to all the body, but particularly to Senator Hefner and to Senator Pirsch, that I think that we could probably discuss this issue all day, and we would still have our own very private views. I do feel that most people in this body do value life. We do value the life of the victim, we do value the life of the newborn baby, and, yes, even some probably value the life of the convicted murderer, even though we do not wish to inflict that person on society ever again. I think that there are reasons, though, for looking at the difference between taking the life of a victim, which is a heinous crime, and taking the life of the convicted murderer, because in one case you're talking about an individual taking the life of another individual, in the other case you're talking about the state pulling the trigger. And I think that's where we disagree. I think that's where some of us feel, at least, that the state should not be in the business of taking life. I would like to talk a little bit about Senator Pirsch mentioned that New Jersey and Oregon have reinstated the death penalty. New Jersey did in 1982, and I would like to mention to you that the Supreme Court in New Jersey has reversed about 18 to 20 cases, and that there is no one on death row right now. That could have a number of implications, but I think that can happen when you have the death penalty. A lot here has been said about public opinion on the death penalty, and there have been a number of national studies that have looked at public opinion. And a number of these studies, including one conducted in Nebraska, show that support for execution diminishes when the question is framed as an option between capital punishment and life imprisonment without parole. In studies conducted in ten states, when survey subjects were offered a choice between a death or life sentence, some of the studies specified life without parole, others no parole for 25 to 30 years, at least a plurality chose life in each. In 1987, the Bureau of Sociological Research at the university conducts what they call the Nebraska Annual Social Indicator Survey. And part of that '87 survey asked about the death penalty. When participants were asked whether they favor the death penalty, 68 percent said yes, 68 percent. Then when asked whether they preferred the death penalty or a life sentence without possibility of parole for at least 25 years, 40 percent favored the life sentence. When the number of years before parole eligibility was...