

April 7, 1992

LA 291

by the federal government, to do that. And that kind of thing scares me when we go after that for DWI, what do we do then for drug dealing? What do we do for whatever crimes we have? Last time the road block was challenged in front of the Nebraska Supreme Court, and I shouldn't say the last time, last time I sat and watched it, one of the justices asked, what do we do next, do we start sto...do we start searching every third house? We don't lose our rights when some government comes in and sweeps them away, or when somebody takes over. We lose them bit by bit, and that's why I've been opposing this. We're losing our right to challenge what some police officer says with an impartial arbiter, what some police officer, who may not like you, may not like your family, may just be having a bad day. But if they say it, it goes, you lose your license, period, no questions asked. But the safeguards are there, as Senator Kristiansen said. You have the chance to go back in front of the Department of Motor Vehicles and convince a judge, from the Department of Motor Vehicles, that the Department of Motor Vehicles is wrong in holding on to your license. It's a hook of a protection, and it's one I'm not willing to vote for.

SPEAKER BAACK: Thank you, Senator Lindsay. Senator Chambers.

SENATOR CHAMBERS: Mr. President and members of the Legislature, a good lawyer is a man or a woman who can research a case, present the defense for that client to the best of his or her ability. A great lawyer is one who, when the client is very unpopular, held in contempt, is accused of perhaps having done the worst possible thing that one human being could do to another, and nevertheless, despite the hostility of the public, maybe the wrath of a judge, the lack of understanding of the news media representatives, will provide the defense that the law entitles every person in this country to have. It does not take much to defend those issues which everybody agrees with. So when we are talking about protecting the right of a preacher to preach, what have we done? Nothing. To protect the right of a legislator to stand on the floor and speak about a bill, when we have absolute immunity, we haven't done anything. But when, under the guise of fighting what a lot of people see as a terrible evil, we allow the rights of all of the citizens to be eroded, to let a determination of whether or not you shall be free from harassment to be left to the unguided discretion of some police officer, that is the time we need to speak out for the rights of the citizens, and some of us will do that. And because some of us will, we are the ones that people come to

12775