

SENATOR CHAMBERS: ...these rights are changed subject to these rules. When they say in this constitutional amendment a victim as defined by law, if the Legislature doesn't define a victim, there is no victim defined by law or however the Legislature defines a victim is what constitutes a victim. And I promise you all I'm going to show Senator Matzke why certain things happen and are allowed pursuant to the rules of evidence. Senator Matzke, how long ago were you practicing as an attorney, a criminal defense attorney?

SPEAKER WITHEM: Senator Matzke.

SENATOR MATZKE: I am practicing at the present time. I have a client in jail in...

SENATOR CHAMBERS: Okay, thank you.

SENATOR MATZKE: ...Cheyenne County at this very moment.

SENATOR CHAMBERS: Thank you. I hope that's not the reason he's in jail.

SPEAKER WITHEM: Thank you, Senator Chambers. Senator Pirsch, followed by Senators Fisher, Witek, Pedersen and Hall.

SENATOR PIRSCH: Thank you, Mr. Speaker, and I will try to answer all these questions and I hope I haven't forgotten any. Senator Hall and the Judiciary Committee did, indeed, look at the county attorneys. In fact, they got a letter from the county attorneys and they were sent this very same amendment saying that the county attorneys, indeed, had dropped their opposition and that now, indeed, they were supporting this constitutional amendment. At that time, the Judiciary Committee did adopt this amended version. Now don't let Senator Chambers lead you astray because this will be the constitutional amendment that will, indeed, be considered by this body and sent to the voters. Victims have rights under the statutes, Senator Hall, you are right, but what is the remedy for victims if they are ignored? And Senator Kristensen asked the same thing. The remedy under statute can easily be ignored. Under the constitution, yes, I believe that the county attorneys and prosecuting attorneys, most of them are doing this. They have great sympathy for the victim and, indeed, I can't think of better county attorneys to assist victims than those that I'm the most familiar with, Gary Lacey in Lancaster County and Sam