

assault. Contrary to what Senator Matzke told you, if they put that brand on a person, it is an assault. Under the statutes of Nebraska right now a person cannot consent to an assault. That's the law right now. He is misstating what the law is and it is very disingenuous of Senator Matzke to say branding is not hazing when his statute says that it is. Now when we talk about some of these other things, I'm going to have to ask him one question because I don't want to presume. Senator Matzke, what does the word "forced" mean in your statute when it talks about these various activities? What does forced mean?

SENATOR LINDSAY: Senator Matzke.

SENATOR MATZKE: Well, Senator Chambers, I'm sure you're as familiar with the criminal statutes as I am. The criminal statutes have a lot of words that have to be defined by the court. The assault statutes just have the simple word assault and there is no definition of that in the assault statute. Under the present Criminal Code you can get a sentence 20 years in the penitentiary for an assault.

SENATOR CHAMBERS: No, I'm asking you, not assault, what does forced...

SENATOR MATZKE: That's up to the court to define.

SENATOR CHAMBERS: Forced is in your statute. What does forced mean?

SENATOR MATZKE: Forced is up to the court to determine whether a particular act was, in fact, forced.

SENATOR CHAMBERS: So then a person doesn't know in advance what this word forced means?

SENATOR MATZKE: No more than you know what the word assault means. That's up to the court to determine whether under the facts of the specific case there was a degree of force that required that person to submit to that act.

SENATOR CHAMBERS: Thank you, Senator Matzke. Senator Matzke doesn't know what these words mean because there is no definite meaning to these words and that's what I mean about a lack of specificity. A criminal law has to let a person know in advance what conduct is prohibited, not after somebody arrests you and