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February 5, 2003 LB 245

SENATOR CHAMBERS: Senator Jensen, this amendment that you have presented is one that I agree with. If we have a situation where a case is pending and this kind of material may be needed and the appeal has not run its course in this period of time, do you feel that this language, as it stands, would allow a defense attorney or a defendant to request that that material be retained? The request can be made, but since the statute makes a flat declaration that they will keep this material for two years, the request would not have to be complied with, and I wouldn't want there to have to be a court order to do something like that. And I just saw the language this morning, so I'm not trying to delay the bill, so would you let me have your thinking on that particular issue.

SENATOR JENSEN: And, Senator Chambers, I don't know how long those periods run. You would have a better idea than I do, since you're...have done more in Judiciary than I have. Is a two-year period long enough?

SENATOR CHAMBERS: What I would not want to do is lengthen out the...this is the ceiling of when they have to...for the amount of time they have to keep it, unless there is a reason to keep it longer. I don't want to change the basic language and say they'd have to keep it for a period long enough to allow any and every appeal that's likely to be made to be run out. We should keep the two years, so they know that in the ordinary course of events, after two years it can be disposed of. What I would like to do, if there is any exception, and right now I cannot give you a specific one, is to say unless a request is made that involves a pending matter to maintain it for a longer period. And I will tell you what really brings it to my attention. In this morning's paper is an article about a person who's going to use the DNA law that we passed to try to have a test done for DNA on a cigarette that was used to convict this person. A cigarette was found at the scene of a robbery. This person was alleged to have been the smoker of that cigarette, and the cigarette was the evidence that convicted the person. I don't know if there...and the evidence, it still exists. I don't know if the authorities refused to release the cigarette for DNA testing but, nevertheless, the convicted person has filed an