

January 15, 1980

LB 222

would have to ask for this service first.

PRESIDENT: Senator Maresh, your time is up.

SENATOR DeCAMP: You would have a system where they would know under what circumstances they would have to request or bring in additional help. So they wouldn't be sitting there wondering, golly, should I call this or should I do that. They would know. It would be there in writing. They would know that there was somebody in this chain of command to offer this service.

PRESIDENT: The Chair recognizes Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman, members of the Legislature, I think that this bill is very, very crucial. Not only did the Ida Fitzgibbons case come to our attention but while we were having hearings some pathologists testified and for the record they mentioned a number of autopsies that they performed in cases which ought not to have been ruled suicides. One graphic example involved a young veteran. His wife had inquired with the VA whether or not she could obtain a portion of his disability pension and she was told "no", but if he died then she would receive survivor's benefits. So not too long after that he died. When the authorities came on the scene they found the young man in a bed, he had been shot twice in the chest, I think, with a 22, but the pistol was on a table some feet away from the bed on the other side of the room. So when somebody just asked how did this occur, then the mother of the woman said, oh, when I came in the room I saw this and I picked up the gun and I took it and I set it on the table, but there is no doubt it is a suicide because there is a suicide note, and sure enough there was a three page suicide note but the young veteran happened to have been blind. That was ruled a suicide. A pathologist mentioned this case. He also told how when it was necessary to perform an autopsy, the facilities that had to be used would often be a mortuary, and in one instance because nobody likes a putrefying body lying around he had to go into this mortuary, down into a basement, around a number of corners. There were steam pipes and water pipes, he bumped his head on the ceiling and then he found a pull chain light. There was stifling heat and naturally a body begins to deteriorate as soon as death occurs because the same juices that digest food begin to digest the body. So it was a very unpleasant and altogether unworkable situation. But, the thing that was emphasized repeatedly was that there are a number of actual murderers walking around not only unapprehended in the state but not even being sought, because if the homicide, if the death of the individual is not ruled a criminal homicide, there is no basis for seeking a perpetrator. I read about an interesting suicide just the other day out near Hastings or