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LB 548

should the acting director of corrections. I will tell you what you are going to do while you sit at this table and do these things...

SENATOR CLARK: You have one minute left.

SENATOR CHAMBERS: ...without thought and being aware of the background, You're going to help generate the very violent explosion they are trying to foment out there at the penitentiary right now. Then they want to drop the blame on somebody else. But after talking with an agent of the F.B.I. today I was asked to go on record with them as to my concerns so when and if it happens the Justice Department has been informed. Then when I make a request for a federal investigation the question can be asked, why were these conditions allowed to fester and develop into these terrible problems? I think you ought not bring this bill back. The ones who knowingly violated rules and regulations and were found to have done so by a federal judge should be personally responsible for their conduct in the same way that any of us and any other employee ought to be personally responsible.

SENATOR CLARK: Senator Cullan.

SENATOR CULLAN: Mr. President, members of the Legislature, I wonder if I might be able to ask Senator Nichol a question if he is available. I heard his presentation and it left me...

SENATOR CLARK: Senator Nichol, will you respond to a question from Senator Cullan?

SENATOR CULLAN: I guess I didn't quite, Senator Nichol, understand what you were saying. You indicated that in the decision Judge Schatz used the phrase, "deliberate indifference" and then you said, if I recall, that the phrase "deliberate indifference" was a legal term of art and that he used that phrase in lieu of the phrase, "willful misconduct," and I guess I fail to understand the difference between willful misconduct, intentional misconduct and deliberate indifference. I have always thought deliberate kind of meant intentional or willful and I really guess maybe I am kind of simple but I don't understand the differences between those phrases.

SENATOR NICHOL: I don't know that deliberate indifference is a legal term. The way I took it to mean was that what they had done was not definitely deliberate, willful doing of the act, rather it was somewhat not knowing what they were and being somewhat negligent in not pursuing their duties as strictly as they ought to. That is the way I took it.