

January 8, 1982

LB 465

So there are two questions in this amendment which replaces the original bill, one, to make mandatory consecutive sentences for those being held behind correctional walls, and also stiffer penalties which were eliminated in the 1978 revision of the criminal code for peace officers who are assaulted in the course of performing their duties. I would hope that you would adopt this amendment and then pass forward LB 465. Thank you.

SPEAKER MARVEL: Senator Higgins.

SENATOR HIGGINS: Mr. Speaker, Senator Pirsch, I have been meaning to get with you before this bill got to the floor. I didn't know it was going to get here this early. Would Senator Pirsch yield to a question? Could I ask you...I see a long list of proponents for the bill. Who was it primarily that asked you to introduce it?

SENATOR PIRSCH: The Douglas County correctional officers, a group from Douglas County corrections.

SENATOR HIGGINS: Which would have been some time last year?

SENATOR PIRSCH: Yes, before the session last year.

SENATOR HIGGINS: I like the bill. I would hope in the next... if it gets to Select File, which I hope it does, I would like to offer an amendment to it. I would also like to state that for background a year ago last December, in other words December of 1980, the Douglas County correctional officers came to me and said, they could not get to the county attorney, they could not get the people that run the corrections department to turn these assaults over for prosecution. So in December of 1980 I went and met with the county attorney and the Director of Douglas County corrections and told them that an officer who got hit in the back of the head with a vacuum cleaner, and they didn't think it was necessary to take that to the county attorney to assault, and we went over a list of assaults that these officers had been getting, and the fact that the inmates went to court and the judge they went to invariably, as Senator Pirsch said, gave them a sentence with credit for time already served and when they went back to a Douglas County corrections jail they laughed at the officers. So I would hope that this bill would be advanced but I would like to also tell Senator Pirsch I was going to introduce a bill myself this year and if you and I get together later, one thing that I would like to address that is not covered in your bill is the fact that when you get into the Nebraska Penitentiary, if