

up as a complaining witness. The officer cannot be a complaining witness because he saw nothing. The merchants in this instance are making suckers out of the Legislature and causing the Legislature to do their flunky work to cover up the carelessness with which they conduct business. I was concerned about high speed chases on the interstate that would result from a person not having paid for gasoline before leaving a filling station and I thought it would be simple for the filling station attendant to require payment in advance but rather than take that simple precaution they say, well, what we can do is make the Legislature make the state patrol run down the highway and risk people's lives because we choose to be careless. And consequently a matter which could be handled through prudent business practices becomes a law enforcement function endangering the lives of people. We are altering the rules of evidence because merchants are careless and if you think that I am not telling the truth, talk to some of the county attorneys and I wish that some members of the Judiciary Committee, instead of just standing up and always saying we are for the heavier punishments, this and that, tell some of the other things that come forth during those committee hearings. But if they won't, there is a transcription of those debates, those hearings, and it is difficult time after time to stand on this floor and go through this kind of nonsense. It is futile. As for the people that Senator DeCamp was talking about who lost some rings, they certainly ought to be more circumspect in how they watch their products because I was in that store on one occasion if it is the one in Lincoln and you can't just walk in there and pick something up. Maybe my complexion is what would make it more difficult for me because I'm sure wherever I went they would watch me. But if they were sure that their rings were not going to be a part of a trial because the people had left, why didn't the dummies go down to the county attorney and say, since the people are gone, we withdraw any charges that we had and give us our merchandise back. Senator DeCamp read a letter which said that they knew that the individuals who took the rings were not going to show up for trial. If they know that there is going to be no trial, why don't they go down and tell the county attorney, give us our goods now, but they don't have to because they can come to the Legislature. There is one other thing and I know it is not going to make too much difference to the members of the Legislature because due process concerns, especially during the Reagan administration, have gone by the boards. Should it be enough for a merchant merely to accuse somebody who has possession of an item and say, that is mine? Suppose a person is accused of shoplifting, goes to trial, and they find out a mistake has been made and the item belonged to the individual who