

and the rules of evidence. It is not necessary to clutter the law in this fashion. So what I am asking that you do is to strike it. Consider the example that I gave you but separate that example from this form of the question. How could an innocent person prove anything about what is contained in a photograph? If you had no connection with the item how can you prove it? If you make an effort to prove anything then they will say, aha, you had to have been involved, otherwise you wouldn't know what you know about this item. They call that similar to a Catch 22 situation. I think it is not a tool that is needed by the prosecutors. As a matter of fact when you deal with the problem of shoplifting you are considering primarily carelessness by merchants, an unwillingness by them to show up to press charges oftentimes when a person is charged or picked up. So the problem can be dealt with already by more prudence on the part of merchants. Senator Koch touched on an aspect of it that is far more serious than anything that has been discussed on the floor in connection with the bill so far and that is trying to determine why these young people shoplift and most of the shoplifting that people are worried about is being done by younger people. They support dope habits and they do support fences. They get caught up in staying operations conducted by the state patrol and some sheriffs and the way those sting operations occur the state patrol will set up an operation in an area like Omaha, then put the word out, not to people who are suspected of being thieves but just put the word out in a community where kids are poor and don't have much money that anything they can pick up they can come and sell it here like at a service station. It might be located at 30th and Parker in Omaha, Nebraska, and the word is out in an impoverished neighborhood that anything you can steal, you bring it here and we will buy it. Those are the kind of problems that I think we ought to be considering to determine whether shoplifting is encouraged and the economic deprivation that people are suffering now is being exploited. What LB 126 is is a perversion of the law. It is a sop given to merchants who don't want to be held accountable for their lack of prudence and care in conducting their business. It will not enhance the enforcement of the law but it will dilute the integrity of it. So let me mention a couple of other items that I want in the record to vindicate my own intelligence and my own regard for the law. When you produce the photograph you have to have a certification by a police officer who may or may not know anything about the item itself but you have a piece of paper with his name signed to it and that is submitted with a photograph. In addition to that is a piece of paper with a name and address of somebody who alleges that he or she is a photographer. And this tale of a tale of a tale is offered in evidence to convict