

since the U. S. Supreme Court has said that death penalties can be drafted in a constitutional fashion and three of those were executed not only because they cooperated with their own executions, but they insisted on it. They refused to allow an appeal, and when one of them, his name was Jesse Bishop, was going into the gas chamber, a reporter asked him did he think the death penalty deterred? He said it didn't stop me. Steven Judy in Indiana wanted to die. Everybody knows about the fiasco involving Gary Gilmore in Utah. The only one who was executed against his will was John Spenklink in Florida. This final thing, Mr. Chairman...

SENATOR LAMB: You have one minute, Senator.

SENATOR CHAMBERS: If the death penalty were a deterrent, the experience in Florida should not be what it is. They have more people on death row than any state in the country. They have recently executed an individual against his will. Yet despite this, having a death penalty and showing an inclination to use it, Miami, Florida has the highest per capita murder rate in the country. So the issue of deterrence cannot be decided in favor of the death penalty. We have to find a punishment which people can expect to receive. Certainty of punishment and swiftness of its imposition are what deter and that has been pointed out by the Chief Justice of this state and all thinkers on this particular subject. Even those who favor the death penalty acknowledge that because there is such a great unlikelihood of its being carried out, it has little if any deterrent value whatsoever.

SENATOR LAMB: The Chair recognizes Senator Hefner.

SENATOR HEFNER: Mr. President, members of the body, I rise to oppose LB 202 and, of course, this bill is to repeal the death penalty and I realize that it is an emotional issue. In fact, I think during the last six years it has been up three or four times and, of course, when you take a person's life, it does become emotional, very emotional, and yet when I read these headlines like young people earning their keep by working in a fast food restaurant or a convenience store or any other place, when they are leaving work, they are shot to death, or when we read the headlines "Old People Terrorized And Tortured To Death", or another headline could read "An Elderly Woman Raped and Murdered", I guess that is when I get a little concerned. Yet here today, here this afternoon, we want to deny ourselves of a major weapon that we have in this fight and in this threat to society. We need to keep the death penalty. We don't need to repeal it and I believe in the research that I have done that it is and it does serve as a deterrent to murder.