

to me, and Senator Chambers including asked me the question on the floor once, why do I think it is so horrible to take a human life in abortion and then feel so strongly about retaining capital punishment. I said it then and I say it again, an unborn child has committed no crime and, therefore, is innocent. As a State Senator, as a legislator that makes laws, I feel it my responsibility after that child is born to protect that life for the rest of its life. Let me go over a case that happened in Chicago. In Chicago a jury of seven men and five women have convicted John Gacy, the worst mass murderer in the history of the United States. Gacy was judged to have been guilty of killing and sexually assaulting 33 children. 28 bodies were found in the crawl space under Gacy's house. Another body was found beneath his garage. Four more of his victims were discovered in the river. Eleven of these individuals have never been identified. Terry Sullivan, an Assistant State Attorney who prosecuted him, described Gacy as an evil, vile, and diabolical man, a sadistic animal who had snuffed out 33 lives like they were candles. Gacy grinned as Sullivan called him the worst of all murderers, a man who was truly a predator. In Oroville, California, two young white men, Marvin Dean Noor and James McCarter had been found guilty of stalking and killing a deaf black man, Jimmy Lee Campbell. When they couldn't find any other animal to shoot, Noor and McCarter, who had been drinking heavily and smoking marijuana, murdered Campbell with a 30-30 Winchester rifle. They were sentenced to 25 years. Now if Gacy were living here in the State of Nebraska for killing 33 children, he would receive a mandatory sentence of 30 years. I think not. When murder no longer forfeits the murderers life, though it will sometimes interfere and in all times interfere with his freedom, respect for life is diminished and for taking that life life becomes cheap. If life is to be valued at all and secured, it must be known that everyone who takes the life forfeits his own. And I would like to ask Senator Beutler a question on the previous amendment that we just adopted. Senator Beutler, the Board of Pardons, according to 83-127 states, exercise the pardon authority as defined in Section 83-170 for all criminal offenses except treason and cases of impeachment.

SENATOR LAMB: One minute, Senator.

SENATOR LABEDZ: Nothing there says anything about felony I or felony 1A. Nothing is said about Class 1A felony. Isn't it true then that the Board of Pardons could conceivably pardon a person convicted of a Class 1A felony and sentenced to the mandatory thirty year term before that thirty years is up?