

March 15, 1982

LB 202

You are not really incarcerating them when they have all their special privileges the way it is now. You are punishing us instead of them. So I would urge you to probably put another amendment on dealing with the police officers and support advancement of the bill and start educating the individuals in your district as to the true facts of the death penalty the way it exists.

SENATOR LAMB: The Chair recognizes Senator Kahle.

SENATOR KAHLE: Mr. President, members, I spoke once before and I swore that was the only time I was going to speak but I am back. I guess my question to Senator DeCamp would be, how are you going to make them work, and we had chain gangs back many years ago when they used a blacksnake whip on them. Is that what we are going to have to do? You can't make a person work if he doesn't want to.

SENATOR DeCAMP: Okay, Senator Kahle, you have raised one of the best questions. I believe there are methods to make it so unhappy not working and the incentives for working great enough that you can get people working and starting to pay for their own keep, so on and so forth. It has been experimented on and tested. It has worked in other places. We are doing nothing here really, but if we are hung up on one thing instead of addressing that, we are not going to get it done.

SENATOR KAHLE: I don't think you can make people work, but the other thing that bothers me about the amendment, and I guess I am through with you, John, I believe Senator Higgins or somebody read a bit ago about they have to be legally confined and under the care and custody or control of a jail, or correctional, or penal institution. What about if they escape and kill ten people? Are they still going to get thirty years? That is a question, I guess, John.

SENATOR DeCAMP: No. In answer to your question and I want to address this to Marge, too, because I know Senator Beutler was asked a question, they are under the jurisdiction of the state. Legally they are assigned in a confinement situation. The fact that they sneaked out or broke out doesn't change that. If there is any doubt, we would be happy to alter and clarify that language but I think it is abundantly clear. It is a legal situation, legal control or jurisdiction and just escaping doesn't change that or being transported but we would be happy to clarify that portion if there is any doubt.

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