

March 15, 1982

LB 202

SENATOR PIRSCH: Does this cover our Department of Public Institutions? Does this cover murder in the Regional Centers? Your amendment.

SENATOR BEUTLER: No, it does not cover the Regional Center.

SENATOR PIRSCH: Okay, thank you. It appears to me that we are trying to say, yes, because you kill a law officer, because someone commits murder behind correctional walls or simply in a correctional institution makes them that... that ultimate murderer. Well, I disagree and I think we are kidding ourselves when we think that the life imprisonment is not going to be appealed as often as the death penalty itself. What kind of a punishment is a life imprisonment? I still believe that the society which holds human life, and that is all human life, not law enforcement or not life behind the correctional wall, but any human life that we consider sacred, then we should be willing to fight and exact that final punishment to that individual who willfully and with malice aforethought murders in cold blood. And you are talking because you don't think it is a deterrent because it is not being carried out. We have some drunk driving laws which the public is screaming about having enforced. We have tough drunk driving laws on our books right now. Are we talking about throwing out our drunk driving laws because they are not being carried out as we think they should? No. We are talking about getting stronger laws, mandating them, making sure they are carried out. Now why are we not doing this with capital punishment? I can't understand. I only know that from childhood on swift, sure punishment is a deterrent. Maybe these people who are not deterred by that and commit murders have not had that...those deterrents through their lifetime, through their childhood, but the problem with the present administration of the death penalty is that it is neither swift nor sure...

SENATOR LAMB: One minute, Senator.

SENATOR PIRSCH: ...and we all agree with that. So now we are talking about doing away with it entirely. We could apply that to all of our laws in the State of Nebraska and I am opposed to this amendment and to LB 202.

SENATOR LAMB: Senator Chambers on the Beutler amendment.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, I was not going to speak on this amendment because I felt that it reflected a concern that some of the Senators expressed, but in view of Senator Pirsch's remarks, I want