

I think the amendment addresses some of the issues raised regarding police officers and I think you can say reasonably they are a distinct class under distinct circumstances, and if you are going to justify the death penalty under any circumstances, these would probably be the most reasonable, if you want to use rational basis. But I would like to address specifically the question raised by Senator Pirsch. Senator Pirsch said the death penalty is not working. It is not being enforced and it is not swift and certain, and everyone of the opponents have stood up today and in one form or another said that. But then Senator Pirsch said something else, if you were listening. She said so what we should be doing in here, what we should be doing in here she said was passing laws to make the death penalty work and I agree. Except I don't think there is a law that can be passed by us as a state that is going to supercede all the various Supreme Court decisions interpretations, various special things that have been developed, and so I say, okay, I can't do that, Carol. I can't make it "swift and certain" like you want nor can you nor can anybody else so let's quit deluding people out there and say we are going to pass that kind of a law. But I say, on the other hand, Carol, since I can't do that, and I acknowledge it, nor can you, nor can the Governor, nor can anybody in this state, let us do the next best thing. Let us admit, like you have and others have, that the system isn't working and come up with an alternate system, something that will cause something to happen, something that will cause punishment and deterrence, something that is swift and certain, and the experience shows that if you will use definite term of years, you eliminate overwhelmingly the number of appeals, the court's attitude of giving special preference because the death penalty is involved, the ability of us out at our prison to make people start doing something instead of being treated like kings, and so I am doing precisely what Senator Pirsch suggests. She says let's make it work. I am saying we can't make that specific penalty work but we can make a punishment system work. This is the punishment system we are suggesting. So I urge you to adopt the amendment, and in light of the facts, advance the bill.

SENATOR LAMB: Senator DeCamp was closing on the Beutler-DeCamp amendment. All those in favor vote aye, those opposed vote no.

CLERK: Senator Lamb voting no.

SENATOR LAMB: Have you all voted? Have you all voted? Record the vote. Senator DeCamp.