

March 17, 1982

LB 202

that Nebraska can have a rational system of sentencing of certitude in the punishment, a predictability in the outcome of these first degree murder cases, I hope you will defeat the kill motion and allow us to proceed with the amended bill.

SENATOR LAMB: Your time is up, Senator.

SENATOR CHAMBERS: Thank you.

SENATOR LAMB: Senator Hefner. On the kill motion.

SENATOR HEFNER: Mr. President and members of the body, I cosponsored this kill motion. I think that we have debated this bill long enough, but right now as this bill has been amended, or is amended, we say that if you commit two murders, well then you are eligible for the death penalty, and I don't think this is quite fair. Also, we say that particular person has to be a policeman or a sheriff or some law enforcement person. I think that citizen lives are important too. I think they are just as important as any law enforcement officer's life. It was brought up in the debate the other day that the death penalty isn't working. Another colleague said, it's a farce. Well, certainly it is the way we are implementing it today, but I feel that when we implement the death penalty, we need to ensure that it is carried out as an honest and an open and a serious expression of the judgment of the state. I think we need to limit the amount of appeals. I think the justice needs to be swift and sure and certain, then it will serve as a deterrent. Another colleague mentioned that Starkweather was executed when Senator Wesely was in diapers. I submit here to you today that if Starkweather wasn't executed, well Senator Wesely may not be here today because he probably would have went on another rampage. I heard on the radio last night that this station...this radio station in Omaha had a call-in program, 21 out of 22 callers said that they favored keeping the death penalty. I think that tells it pretty plainly that they still want to keep that death penalty. They did not...and I repeat again, they did not favor a mandatory or substituting a mandatory 30-year sentence. And out of the polls in Nebraska, the people overwhelmingly support the death penalty. I think if we repeal the death penalty, I think then the people are going to petition themselves and call for the death penalty. I urge you to indefinitely postpone this bill.

SENATOR LAMB: Senator Howard Peterson.

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