

problems. I'm not talking necessarily about strictly an alcoholic. We are talking alcohol education and alcohol treatment, if necessary. Pretrial works. I think that it is important that we keep this in this bill. I think that it is important that we keep some of the mandatory minimum sentences. But, I also think that it is extremely important that we not only look at throwing people in jail but we look at helping them overcome their problem, if they have one, with alcohol. Again I want to reiterate that the argument of the same offenders being arrested again is really invalid. Because we are only talking about two tenths of one percent that even are arrested again after they go through pretrial diversion. I would urge you to defeat Senator Hoagland's motion to do away with pretrial diversion. It works. It doesn't just work in Sarpy County, Senator Fenger and Senator Beyer from Sarpy County knows that theirs works. Senator Lowell Johnson, there is a pretrial diversion program in Dodge County. There is a pretrial diversion program in Neligh, Nebraska, Senator DeCamp. I would certainly appreciate your support of this. It works. It does not fly in the face of mandatory sentencing. We are only talking two tenths of one percent recidivism and I think that is so nominal, so nominal and speaks so well for the program that it is very necessary . . .

SENATOR LAMB: One minute, Senator.

SENATOR KILGARIN: . . .we retain this. Thank you.

SENATOR LAMB: Senator Marsh.

SENATOR MARSH: I yield my time to Senator Chambers.

SENATOR LAMB: Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, I would again like to ask, I guess I'll ask Senator Nichol the question this time.

SENATOR LAMB: Senator Nichol, will you respond?

SENATOR CHAMBERS: Senator Nichol, Senator Hoagland answered this question by frankly admitting that he didn't know for sure what would happen. But, if we reach a point where there is such over crowding that nobody else can be put in a cell, what will be done with people that are arrested, charged, tried, convicted and sentenced to a mandatory period in jail. If there is no room for them in jail.