

officer can say I've got twenty witnesses and they can all swear on a stack of Bibles and the first four could be named Matthew, Mark, Luke and John, you can follow that with Moses, Hezekiah, Zephaniah, Zechariah and after they all get through swearing the county attorney could say, I remain unimpressed. I'm not going to file charges. So they say then, we will call a grand jury. The prosecutor at the grand jury is the county attorney. So if the grand jury brings back an indictment, the county attorney still doesn't have to file. So, if there are people the county attorney wants to favor, how can you stop him from doing it? You can't. If there is in fact a problem of over crowding then perhaps we ought to create a legal fiction through the pretrial diversion program and make it apply not only to those who have money and who may be friends with the county attorney or somebody else...

SENATOR LAMB: One minute, Senator.

SENATOR CHAMBERS: . . .every third person who is brought in regardless of his or her name, every third person automatically gets a shot at pretrial diversion to keep an outflow of people to avoid worse over crowding. What I am suggesting I know is not going to be considered feasible. I probably wouldn't vote for it myself. But, I can't seem to focus the attention of the body on the real problem of over crowding. Senator Hoagland didn't know for sure what would happen. Senator Nichol stated what has happened and probably would here. If you bring too many in the front door the judge is going to order that others be let go. If that is what you want to do whether that is what you want to do or not, if you continue on the path you are following with this bill that is precisely what is going to happen.

SENATOR LAMB: Lets see we have seven more lights on here and we are going to make every effort to vote on the bill before we leave, if we can. The next speaker is Senator Fenger.

SENATOR FENGER: Thank you, Senator Lamb, fellow members, I rise in wholehearted support of this amendment as offered. It is interesting to note that Senator Kilgarin made mention of the Sarpy County program that we have and yet when Senator Newell's amendment was on the floor, not one but both Sarpy County senators voted against that amendment. In order to show you my hang-up on this thing, come with me, lets have a hypothetical party. I'm in downtown Omaha on Saturday night, I run across a couple of my outstate peers, we have