

SENATOR LINDSAY: I'm familiar with what the bill says. And, yes, it would. I'm guessing, like I say, I can't give you an answer on that directly because I just...I don't have the familiarity with it. What you're saying I think sounds reasonable and I would guess that you are correct.

SENATOR CHAMBERS: All right, now on soliciting, when they are involved in this sting operation, are they allowed to solicit a person to commit an act of prostitution?

SENATOR LINDSAY: Senator, my guess is that that is an issue that is debated in the courts on a daily basis, I would guess that the entrapment defense is used in prostitution cases on a regular basis whether...how far they are allowed to go, obviously, is a fact question.

SENATOR CHAMBERS: But the point I'm asking you to discuss with me, if you will, is not how difficult it is to prove whether or not what the officer did constitutes a solicitation. What I am asking you, apart from the question of proof, is this. Is the officer allowed to solicit the act of prostitution without being involved in entrapment?

SENATOR LINDSAY: I, again, I don't know. First of all, the defense of entrapment, as you know, is a very technical defense. What exactly constitutes entrapment is generally done on a case by case basis. I can't give you an all-encompassing answer as far as what constitutes soliciting and what, how...what exactly an officer can say before he is engaged in soliciting.

SENATOR CHAMBERS: Senator Lindsay, did anybody who testified on this bill discuss solicitation, or the things that we're talking about here now?

SENATOR LINDSAY: I'm sorry, I don't understand the question, how do they...?

SENATOR CHAMBERS: Was there discussion by those in law enforcement who came from Omaha to support this bill, was any of their testimony addressed to the issues we're talking about now?

SENATOR LINDSAY: To the enforcement procedures?

SENATOR CHAMBERS: Yes.