

corroboration rule. Representatives of the County Attorneys Association, the Defense Attorneys Association and the Nebraska Domestic Violence of Sexual Assault Coalition testified in support of this bill. I ask for your support in repealing this archaic and insulting judicial rule and I will yield the remainder of my time to Senator Kristensen, the co-sponsor of this bill, along with Senator Pirsch.

PRESIDENT: Thank you. You have seven minutes, Senator Kristensen.

SENATOR KRISTENSEN: Thank you, Mr. President, members of the body, Senator Robak has done a very good job of giving you the basics of what the corroboration rule is in this state and I want to go on and add just a little to that. In Nebraska, if we have a testimony of a victim of a sexual assault case, right now for the perpetrator to be convicted, the testimony of that victim must be corroborated. The word corroboration is not one that we use in everyday language and so let me try to define it for you a little bit. Corroboration is evidence that adds some greater credence or reliability to the victim's own testimony. An example of that may be, as Senator Robak stated, if a sexual assault occurs and you promptly go and report it, meaning that if something terrible would happen to you, you would complain about it or report it to someone or you would seek medical attention or you'd do a variety of things with it. Other corroborative evidence examples may be scratches, may be torn clothes, it could be medical evidence and so on. What really the problem has become is that this is a rule that our courts have created and say a variety of things to us and it was created back in the 1800s when really we didn't have a lot of the protections in law that we have today. Part of the problem in this state also is that we can convict people with someone's testimony on a variety of crimes. One of them is first degree murder, can be convicted without corroboration, arson, burglary, can all be sustained convictions for those things. What the court really does is they make a predetermination that a victim of sexual assault needs to have more credibility to their story. Bottom line, sexual assault victims are more likely to lie about what happened to them. We don't think that's true and I think most of you don't believe that's true as well. Another problem is that they are saying predeterminedwise that a class of victims needs to have more credibility than anybody else, than any other witness. Any other witness doesn't need to have corroboration to testify. They can testify as to what they saw,