

what they heard or the type of evidence that they had, not so with the sexual assault victim. Nebraska law has some other things that we've changed when you all did the change in the criminal code and some of our evidentiary standards a few years ago. We have a statute that says every person is competent to testify as a witness. Corroboration contradicts that and this is something we need to get rid of. If we're going to believe in the fact that people are competent to testify, we shouldn't have to have them jump this other hurdle. All the other constitutional guarantees are still here, the right to cross examine a witness, the right to bring in other people, the right to say to the jury, it's their word against my defendant's word and I believe there is some reasonable doubt there. This doesn't change the standard to convict somebody. All this does is remove an impediment for those people to testify. I'm sure that a question is going to arise, and as it did in committee, about why do we choose the age of 15 and above to remove corroboration. Why didn't we just take it off of everybody? And, basically, what it is, is it's an agreement. We went to the criminal defense lawyers, we went to a lot of other people and said, what can we do with corroboration? We're the last state in the Union, the last state to require corroboration for every sexual assault crime. And it is an embarrassment that we're the last state to repeal this. The basic agreement is that since there was such a large fight last year on LB 90 with the videotape depositions and although Senator Robak and I were not present for that discussion, that that was a real problem, that we fought those wars and had those discussions. We don't want to get into, with this bill, the issue of do children make up stories, do children fabricate it, are they easily manipulated and so on. Also the other reason for 15, in this state if you are age 14 or younger and someone touches you and there is a whole variety of definitions, but basically for this example, in the private parts or other areas defined by statute, that is a felony. The mere touching of it can become a felony. People tend to draw those lines as that is a natural thing, that's very serious for a felony and we're going to leave the corroboration requirement on for victims under the age of 15 and, for the record, I would assume that age 15 means at the time of the occurrence happened and not the time that they testify. I would urge that this motion under this bill be advanced on to the next round. Thank you.

PRESIDENT: Thank you. Senator Wesely, please. Senator Bernard-Stevens. Oh, excuse me. Senator, we have a motion on