

to them what they could or could not do. What LB 218 is trying to, or this amendment now, which is LB 218, is trying to appeal to is a sense of what do we do in cases of domestic violence when a police officer is called to a scene and all of a sudden the person who is doing the violence has done a total 180 degree turnaround in personality. The police officer comes, the person who has been involved...that has actually done the violence in the area is now calm, you do not see a particular cause that anything may have done...that something may have happened, a felony or misdemeanor may have occurred, but you know something happened. It may be a spouse, it may be a live-in, it may be a joint...couple that has a child that are unmarried. The police officers have to make judgments, has something happened, has something not happened? What has traditionally happened in many parts of our state is the police officers may take one away temporarily, walk around the block, they may take one separately and discuss the issue, but they do not feel that they have the authority at this point to make an arrest. And what we find and what the study shows are two-fold; one, when the police officer does not aggressively, because they do not feel comfortable with the current statutes, when they leave the situation many times, too many times, way too many times violence then occurs. The aggravating party is aggravated further because someone called the police and violence then occurs, and it is unfortunate. Other things that begin to happen is that studies have shown through other states that when the police have definite, clearly stated laws that they can arrest that the domestic violence and repeat violence, in these cases, has significantly dropped. What we are doing in this amendment is not doing something new. The law is being interpreted now that they can aggressively go out and arrest in domestic abuse cases. However, the law is also significantly vague so that not all law enforcement officials feel comfortable with that. We are merely going to clarify what those institutions, what many law enforcement officials are now doing...

PRESIDENT: One minute.

SENATOR BERNARD-STEVENS: ...so that all law enforcement officials will feel comfortable. I might point out that on line 7 of the amendment, and again we're on AM1366, a police officer may arrest a person, it does not say shall, it says may arrest. Then you get down to the bottom part of 19, if they've committed a misdemeanor in the presence of the officer or, and it's very short, one or more of the following acts to one or