

made in the field, and those judgment decisions we may or may not agree with, and if in those judgment decisions poor arrests are made, it will go against that person's record and we will have to attack those situations as they arise. But to agree with Senator Chambers' amendment would put even more confusion because, again, in one section of the law we have that we can arrest, but now we are going to have in this particular case, in domestic violence, one of our most violent, one of our most increasing crimes, we are going to have to have serious bodily injury, and that increases that burden of proof to such a degree that it would prove the whole section, I think, worthless at this point, and add even more confusion. I don't think it is necessary. I understand the point that is being made but I still am opposed at this point to the Chambers amendment because of the tremendous increase of burden that it would place. Thank you.

PRESIDENT: One minute. Okay. Senator Chambers, please.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, one of the difficulties in dealing with mixing criminal laws with other laws is that we have a mixture of concepts such as Senator Bernard-Stevens is going through now. Senator Bernard-Stevens, this morning we were in Chapter 29. This domestic abuse is in Chapter 42. What 330 does, and we are talking about that now, is distinct from the amendment that was offered this morning. That amendment offered this morning was another entirely different bill that had nothing to do with LB 330. The purpose of LB 330 is to mandate that an arrest be made if one of these protective orders is violated. This morning, Senator Bernard-Stevens, you were talking about a warrantless arrest where no protective order was involved. So the first thing you do is distinguish between those two cases. If you look on page 3 of LB 330 as it exists now, there is in subdivision (a) starting in line 22, "Attempting to cause or intentionally, knowingly, or recklessly causing..." That is where you either cause it or you make an attempt. You have gone beyond the point of merely putting yourself in a position where you look like you are going to do something. You are initiating action where the outcome of it will be serious bodily injury. So the worst thing that you can do is to inflict the act. The second worse thing you can do is attempt it. Those two things are not touched. When you turn the page to what I am talking about, there has been...you haven't reached the point of an attempt. You haven't reached the point of an attempt. This