

May 11, 1989

LB 211

I'm going to plea negotiate on those things what happens if that confession is shaky? What happens if I don't know if that confession is any good? You know, and I go to trial and I risk having that confession thrown out, and then he gets off scot-free, I mean no conviction. His record will not show a thing. Do I run that risk?

SENATOR SMITH: So you're saying that we should, to be safe, leave this in law...

SENATOR KRISTENSEN: I just want you to...

SENATOR SMITH: ...the subsection.

SENATOR KRISTENSEN: I just want you to understand what the ramifications, if you leave it in, are.

SENATOR SMITH: I think I'll watch to see how you vote. Thank you.

SENATOR KRISTENSEN: Thank you.

SENATOR SMITH: I'll vote with you.

SPEAKER BARRETT: Senator Pirsch.

SENATOR PIRSCH: Question.

SPEAKER BARRETT: The question has been called. Do I see five hands? I do. Shall debate now close? Those in favor vote aye, opposed nay. Record, please.

CLERK: 25 ayes, 2 nays to cease debate, Mr. President.

SPEAKER BARRETT: Motion prevails. The introducer may close. Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, prosecutors don't always act from pure motives. They have even been slapped down recently by the State Supreme Court for making improper statements and have been chastised for not knowing better. How unprepared they are and the kinds of things they say lead the court to chastise them. Here is an example that I clipped from the paper this morning and it says, the headline, Judge drops charge against Omahan. The felony drug charge