

SENATOR CHAMBERS: Mr. Chairman, and members of the Legislature, one of the serious problems we are confronted with now is an overbroad law. There have been a number of cases which discuss such laws and they will say words to the effect that you spread a very wide net, and in the process of drawing in some who may, indeed, have committed conduct that is not allowable, you draw in a lot of others who have not, those against whom it is not intended that the law should operate, but because of the language in the law, it will encompass anybody who fits that definition or finds him or herself in those circumstances. The discretionary enforcement of the law is a terrible thing when you have a law as broad as this that could allow in the case that Senator Schmit gave discretionary or discriminatory enforcement. If you came upon one of these tailgate parties and you saw people in gray suits and blue shirts and purple ties, such as my good friend Senator Scott Moore is wearing, you would probably hesitate, if you are a law enforcement officer, because you would say, now, these are not the people to mess with. But then on the other hand, if you saw a group of people dressed in the way that I am, and they might say, uh huh, we have got some people who are Crips dressed in blue, sweatshirt on, looks rough and tumble, probably a thug, may be on his way from robbing a bank, if he has just robbed one, we don't have anything on him but we can get him because on this property there are people in that group who are drinking. And they round up everybody and then start administering the tests, and if there are people, who, in fact, are rough and tumble and feel they have a right to be on their property because let's make it the parking lot of one of these car dealers or a grocery store, and the owner of the store is out here with these people, then they feel they have a right to be there and should be left alone. So when the officer or officers approach this group in an aggressive manner, as they will tend to do toward people dressed in the way that I am, these people, if they are not Mickey Mouse, are going to stand up for themselves, and what should not have happened at all in terms of a contact between the police and citizens is going to escalate into something beyond all reason, something that Senator Abboud does not intend for his bill to trigger. But when you have police of the stripe and variety that drive cars and function in Omaha, you don't need this kind of broad, overbroad legislation to invite conflict, to invite confrontation, to invite selective discriminatory enforcement of the law. In this instance, the problem is not in the black community. It is in the white community, and since it is in