

let's go ahead and allow illegal search and seizures, because let's do anything we can, even if it means stepping on some of the rights of those few? Let's be concerned about the victim, let's be concerned about the youth of our country, let's go ahead and do away with illegal search and seizure so that they can do it illegally so we can get the evidence, so we can put these people behind bars. Do we want to do that? And I don't think members in the body are willing to do that, but if you say that, no, I wouldn't be willing to do that, what you are saying is that you are willing to protect the rights even of those who may be guilty because there are rights that we all must try to save for all people, because someone who is not guilty could be violated. Senator Sam Ervin, one of the old champions of the Legislature...of the legislative system, senator from North Carolina in the United States Senate said to me one day, he said, one thing you need to remember, son, and that is sometimes you have to let a few of the people get away in order to maintain the liberties and rights of the majority. He says it is a sad fact, but to maintain our liberties and rights, you have to be willing to do that. And then we have LB 799, a bill that everyone wants to support including myself because we want to do something for drunken drivers, we want to get them all off the road. But how far are we going to go, and what do we justify that? These are just questions I think the body needs to think about at some point. I also want to bring out another particular view. Sometimes I get the feeling that if we don't do this particular bill, then we are not going to do anything at all. There is no other thing to do, and that is not true. There are lots of avenues available to the Legislature. For example, there is a bill in Judiciary Committee now that talked about the DWI. It is a bill that I introduced to try to get drunken drivers off the road. It would create a whole new statute so you would have vehicular assault because now you have an area, if this bill wouldn't pass, now you have an area, right now, today, where if I'm a drunken driver and I am involved in an accident and someone is killed, I could be charged with vehicular homicide or possibly assault, if I have a very strange case and an aggressive prosecutor Senator Kristensen was pointing out to me before, but in most cases, you are just going to get vehicular homicide if the person dies.

SPEAKER BARRETT: One minute.

SENATOR BERNARD-STEVENS: If the person doesn't die and they are severely harmed for life, severely disabled for life, maybe the