

county attorney requires are being found to be fulfilled in other ways. I support this change for the second and subsequent offenses increase in penalty and, again, we do have to rely heavily on our prosecution, on our law enforcement to gather the evidence and to give direction to our judges and when that is done that those who are repeat offenders do get stiffer penalties.

SPEAKER BAACK: Thank you, Senator Pirsch. Further discussion, Senator Schmit.

SENATOR SCHMIT: Again, I want to say that I have no qualms whatsoever about supporting what Senator Abboud is trying to do. I agree with much of what Senator Pirsch has said. I would just like to say that, at this time, in the Nebraska system of corrections we have imprisoned individuals who are there for having been convicted of the uncorroborated sexual assault of a child. We have other individuals in this state against whom such allegations have been made who have never even been charged and that will continue to be the norm. I would have to say, and I regret to say so, but I'm saying so here for the record that I do not have the confidence in the system I once had and I am deeply concerned about the discretionary authority of the prosecutors. Do not know exactly how you'd do anything about it and I know that Senator Abboud and the other attorneys in this body, along with persons like Senator Pirsch who are deeply interested, have wrestled with this idea and this problem for years, but I just want to emphasize again that by the passage of this bill we do not necessarily automatically provide additional safety for the children. We only provide for a stronger penalty for those individuals who are convicted of sexual molestation the first or second time, depending upon the instance here, and in the instance of those who the prosecutor decides to pursue. It is a very, very deep concern to me that any person on this floor could be accused of such a crime and based upon the prosecutor's judgment one could be charged, convicted, sentenced or else you could walk away without ever having had a charge filed. To me, I'm not just sure what we need to do, but I want to emphasize that by the passage of this bill we do not solve the problem and I want to call upon those of you who are my colleagues to be aware of that, to be knowledgeable about it and to visit with social workers, to visit with county attorneys, to visit with the law enforcement people and the judicial system people and see what recommendations they might have that could more adequately protect and provide for the protection of our