

April 9, 1991

LB 425

SPEAKER BAACK: Okay, we will now proceed to General File and LB 825 (sic), Mr. President.

CLERK: Mr. President, LB 425 was discussed by the Legislature yesterday. It's a bill offered by Senator Labeledz and a number of her colleagues. (Title read.) Mr. President, the first amendment I have pending this morning is by Senator Lynch and Senator Lynch would move to amend the bill. The amendment is on page 1555 of the Journal.

SPEAKER BAACK: Senator Lynch.

SENATOR LYNCH: Mr. Speaker and members, while and others were serving on the Franklin Committee, we were made aware of a case of a foster care parent who was in the process of adopting five children, three of them girls, ages 8 to 12. He routinely molested those girls over about a year and a half to two-year period. He was not convicted of anything. He was let off the hook because he was considered family, in this case a foster parent. He was willing to give up, in a plea bargain arrangement, the adoption process, providing he wasn't convicted. I think that is a terrible thing indeed and as far as I'm concerned, if you molest kids and it has a direct relationship to 425, this parent consent bill, inasmuch as I think we would all agree that in some cases, if, in fact, the disfunctioning circumstances we've discussed for so long now on this bill existed, the possibility of unwanted pregnancies could happen as a result of that and notification in that case would serve no good purpose. What this bill provides is simply to direct more than we've done in the past, prosecutors who are involved in these circumstances to not allow people, whether they are blood relations and family or foster families to get away with it. If they are guilty of that kind of abuse, then they should be prosecuted. I know we don't have very many beds and it would take beds to do this, but it is interesting that if someone molested a little girl who was a next door neighbor there would probably be a hue and a cry for that person to be prosecuted. If they molested their own kid somebody might say, well, they are family, we should probably try to counsel them. I say counseling be damned. They ought to go to jail. And that is all this amendment does. It's as simple as that. It says, let's apply the full weight of the law against anybody who perpetrates that kind of misery on any unsuspecting child whether they are family or not. That's it. I'd try to answer