

it. The State of Iowa repealed theirs, but now there's a swell of supporters to put that death penalty back on their statutes. So if we analyze some of these states that have repealed the death penalty, now they wish that they would have it. But getting back to Senator Chambers' amendment, I would certainly encourage you to defeat this amendment.

PRESIDENT MOUL: Thank you, Senator Hefner. Senator Pirsch.

SENATOR PIRSCH: Thank you. Senator Chambers, I didn't know we were going to argue Hebrew law today or I would have boned up on it. But how like you to bring smoke to the issue today and talk about people killed for picking up sticks. I want to tell you that if you would look at the profile that Senator Crosby has, each and every one of you, that you certainly would understand why we have protection in the law so that those heinous, horrible, premeditated, monster killers are the ones that are on death row. And I'm going to read you about their victims because I want you to remember their victims. And we don't even know all of the victims possibly, but, of the known victims of those on death row, there are 18; of those killers responsible for those victims, there's 11. Let's remember the victims and I may go down by that, but let's stick to the amendment. This amendment is another continuation as the Attorney General's Opinion states and as is upheld by anyone who has had any law training we cannot tell the Board of Pardons what to do. They are in our Constitution. And I pointed this out last session. If Ernie really wanted to keep those people in jail for the rest of their lives without possibility of parole, this would have been, 327 would have been a constitutional amendment. And that's what this amendment that he's trying to amend to this should be also if, indeed, it were really true what his intent was. Sixteen serving life in the penitentiary have had their sentences commuted to a number of years by the Pardon Board. I don't know how the Pardon Board makes their determinations. They are always different people at different times, but I tell you that if, indeed, you're sincere to keep these murderers in jail, it has to be a constitutional amendment. I quote Justice Stewart's observation when he was upholding both the constitutionality and moral validity of a death sentence. He said, the instinct for retribution is part of the nature of man. And channeling their instinct in the administration of criminal justice serves an important purpose in promoting the stability of a society governed by law. When the people begin to realize that organized society is unwilling or unable to impose upon