

SENATOR BEUTLER: From your explanation, Senator, I'm not sure. What I intended to say is that we have a statute on the book already which says threatening another in a menacing manner, and to the extent that you can prosecute for this thing we call stalking it seems to me clearly that we can do it under the existing statute and that what we're putting into place is a statute that's more difficult to prosecute. Therefore, it will never be used to prosecute. Therefore, what we're doing is muddling the law and making it less clear rather than more clear.

SENATOR NELSON: Thank you. Now I forgot exactly what I was going to ask him again. In other words, okay, if we have that on...that on the statute right now and we have this problem, is it that they're simply not enforcing the law, or is that what the problem? In other words, like many times the law is there but what they're...what I'm being told and heard is we have no, unless there's physical damage or so on or harm, that they can't do anything. Help me out on that real quick.

SENATOR BEUTLER: Well, Senator, I find that hard to believe. I don't think that that's true. I mean if that's true, then a threat of any kind is not covered under our law and we know from long, long history we've always had a law against threats, real threats and we, you know, and that's what this is. This is basically a kind of threat.

SENATOR NELSON: Okay.

SENATOR BEUTLER: Now...oh, I'm sorry, I'm taking your time.

SENATOR NELSON: Oh, go ahead, another question then. We have in some communities where it's actually two of the same ethnic background, not two, 50 people of the same ethnic. It's kind of the McCoy's against the whatever. They will follow, slam car doors, break windshields, put up somewhat road...everything between the two and it's the same ethnic group. Seems like there's nothing can be done unless they break a windshield and knock somebody's teeth in, nothing that you can do either then, right? In other words, it's fighting between people of the same ethnic group.

SENATOR BEUTLER: Well, it may be that we could design a law that would have that effect, although it would be difficult to do, but the law that you're considering, LB 1098, certainly does