

February 2, 1996 LB 645

SENATOR BEUTLER: Then...that's all I want, just, I want to follow through with one question then and you can think about it and...

SENATOR ABOUD: I don't know whether, I suppose, I mean that could be one, that could be one type of sexually violent...I'm changing the term from "predator"...well, I have an amendment up on the desk there,...

SENATOR BEUTLER: Okay.

SENATOR ABOUD: ...to "offender".

SENATOR BEUTLER: But the definition is "sexually violent predator", and over on the next page that's defined as someone who suffers from a mental abnormality or personality. So if that's true then, the next sentence says, "When making its determination the court may consider evidence from experts in the field of the behavior and treatment of sexual offenders."

SENATOR ABOUD: Yes, that's...

SENATOR BEUTLER: Do you think the court's capable of making that determination without the advice of experts?

SENATOR ABOUD: Again, this is language following the federal law. And I'm following the language of the, of federal legislation on, on that particular issue.

SENATOR BEUTLER: Would you have any problem with saying shall take evidence on that, on that question?

SENATOR ABOUD: Well, I...

SENATOR BEUTLER: I mean I don't know of any time that we ever...

SENATOR ABOUD: I understand what your...

SENATOR BEUTLER: ...commit somebody to a mental institution or in any way stigmatize them in a major sort of way or otherwise do something that's detrimental to them for a mental abnormality or mental problem without having some evidence that that's the