

February 5, 1996 LB 754

applicant for having the print...

SENATOR CROSBY: Time. Thank you. Thank you, Senator Chambers. Senator Bohlke, your light's next.

SENATOR BOHLKE: Senator Chambers, I was going to raise a different question, but I'll, if you want to continue this now we may and I'll yield to Senator Chambers to continue it. I think that it would be on the applicant.

SENATOR CHAMBERS: Okay. And I hope you understand, all I'm doing right now is asking questions, I'm not even arguing the...on the questions that I'm asking, just to try to get some information. If you come down to Section 3, and then I'll give your time back to you because this is where I wanted to get to, after you get the fingerprints then you might come up with some information from this criminal history. There is nothing in what is required that talks about the age of the victim, which might have a bearing either as an aggravating circumstance or a mitigating circumstance, so would that be something that ought to be included in this information that comes back, in Section 3? It lists five things...

SENATOR BOHLKE: Right.

SENATOR CHAMBERS: ...to be considered.

SENATOR BOHLKE: Right. And the commissioner, when the...that's why we changed the white copy from the green copy to let the commissioner take into consideration such things as age, good conduct since the time, what may appear, those kinds of things.

SENATOR CHAMBERS: Here's what I'm asking. Should we include in that listing the age of the victim? Because let's say that a person had on his or her record rape, but it was what we call a statutory rape. And the person who was the victim was, say, two days below the age where consent could be given or it was some act between two people of the same age, where the age of the victim could have a part to play in determining the seriousness of the event or the act. Do you think it would unduly clutter what you're asking for if you would include the age of the victim as one of the things that ought to be included in the report?