

Testimony at the hearing indicated that the present statute is the most sweeping, exclusionary rule in criminal law in the United States. If one looks at the history of this law, one can easily see that its purpose was to protect persons on parole or probation from being coerced by law enforcement officers. We have compromised with opponents of the bill by offering amendments to the bill that will help protect these persons. Those amendments add notification and parental consent. Law enforcement agents must notify parole and probation officers and jail administrators when using these persons as undercover agents. And for persons under the age of 19, parental consent must be gained before using minors as confidential informants. This current law has had a particularly negative effect on drug enforcement in Nebraska. Drug dealers who are able to hire probationers or parolees as drug pushers can operate with substantially less fear in Nebraska than they can in any other state, simply because they know probationers or parolees cannot be used as confidential informants. A criminal who surrounds him or herself with people on parole or probation essentially becomes immune to prosecution. Criminals do surround themselves with other criminals. Another senator has suggested to me this week that if I really wanted to move this bill I would need to tell the body why LB 943 is worthy of debate this session. I will tell you why. Do you remember back in December when various media organizations were compiling polls on what the top issues would be for the 1996 session? Do you remember what those top issues were? Let me refresh your memory; crime, property taxes, and the budget were issues at the top. I am attempting to put before this body a significant crime-fighting tool that no other state is without and is of zero cost to Nebraska taxpayers. LB 943 is a significant crime-fighting tool that needs to be addressed this session, not next session or sometime in the future. Testimony from an officer of the Nebraska State Patrol said he, alone, knew of two homicide cases that are currently pending, present tense, still pending because prosecutors cannot gather enough evidence to prosecute these people because of this law. Who knows how many other cases like this are holding up legitimate law enforcement efforts, and how many other cases will arise between now and next session that will allow criminals to avoid prosecution. I believe this issue needs to be addressed now. I am sure that a majority of Nebraskans, if they were educated about this issue, would support LB 943. If you vote in favor of placing this bill on General File, you can go back to your constituents and tell them