

**SPEAKER WITHEM:** Senator Hudkins, followed by Senators Lindsay, Bromm, Pedersen, Chambers, and Witek.

**SENATOR HUDKINS:** Thank you, Mr. Speaker and members of the body. Senator Chambers can bring forth many examples to prove his point and, obviously, he can probably bring a lot more examples to this body than I can because he is an expert at clipping articles and his memory is just prodigious, but that doesn't mean that there are more examples of ensnarement, pressure, viciousness, entrapment, coercion or prosecutorial abuse, and these are all words from the example that he gave us. I thought the example that was handed out was rather interesting because, in my opinion, it proves the point that the courts do take care of their undercover agents. This person had the charges against them dismissed. Their rights were protected. This example doesn't even apply as far as LB 943 is concerned because this young lady was not in jail, she was not on probation, she was not on parole. The bill does not condone coercion. No one condones coercion. The victim, if there was coercion suggested, would have certain rights as evidenced by the case handout. Now let me give you an example of what I think is part of the problem. A 16-year-old girl was on probation for shoplifting. A man had victimized her by having sex with her and then had her prostitute herself with another man. He then offered her money to have sex with a dog, and money to have sex with another man's girlfriend. She reported this to the police. However, since she was on probation, the police couldn't tell her what to do when the man called back. They couldn't tell her to tape record the conversation, and if the police had told her what to do, any evidence would have been inadmissible, and the man could not have been prosecuted. Ultimately, the young woman was released from probation and she then worked with the police in tape recording the conversation. The man was subsequently arrested and charges were filed. As a result of our current law, the 16-year-old girl was on her own until she was released from probation. This man was trying to victimize her and current law prevented the police from protecting her. The current law needlessly puts crime victims at risk because they can't work with the police if they're on probation, parole or in jail. Moreover, the law encourages dangerous criminals to come to our state and conduct their criminal activities with the knowledge that persons on parole, on probation, or in jail can't cooperate with law enforcement officials. Enterprising criminals search out these people for