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LB 72

conversations off the floor. Thank you. For further discussion on the motion to return LB 72 to Select File, Senator Brashear.

SENATOR BRASHEAR: Mr. President, members of the body, notwithstanding the explanations which Senator Chambers has given a number of people, a number of colleagues have asked questions of me. And I also would like to speak to some of these issues, because in fact it is the work which we have done with regard to the bill and the amendment which has resulted in the arrangements that are specified here. Specifically, as to Senator Bromm's concern about an open and ongoing investigation, I'd like to make the point that that's exactly what we were addressing. Once the death has occurred, we wanted everything to proceed as it should within the jurisdiction in which the death occurred, without delay and without any hindrance by reason of the operation of these particular statutes. In other words, the language is clear. And I am making also a part of the record that when we say it shall be treated as an open, ongoing matter, until all evidence, reports and other relevant material which had been assembled are transferred to the special prosecutor, that's exactly what it means. It's the plain meaning of the language. Everything is as it ought to be going forward under the auspices of the jurisdiction which has the responsibility, which is as established by law, until such time as there is this statutory intervention, which we're creating by the appointment of the special prosecutor. Then at that point and without denigration of the language which proceeds, the special prosecutor is to be in charge. The special prosecutor could continue that open, ongoing investigation and the completion of the reports while that special prosecutor assembles a multijurisdictional force. Multijurisdictional force was designed to insure that we would not only have the fact, but the appearance of propriety and professionalism and thoroughness and an absence of personal or special or collegial interest. Frankly, I agree with what Senator Chambers is saying. And when I was specifically thinking in terms of jurisdiction, I was thinking in terms of the city of Omaha as a jurisdiction, which it is, and the county of Douglas as a jurisdiction, which it is. It will not bother me if a special prosecutor decides that he wants these kinds of trained homicide investigators from somewhere outside both of those jurisdictions, if we're relating it to an Omaha. If we're