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fact, be valuable, and I am in the second camp. And so I want to ask you about the study because I would like it to be, if we're going to do it, as valuable as possible. The first question that comes to mind, as I read this language, is that the study is to involve criminal homicide, criminal homicide.

SENATOR BRASHEAR: Yes, sir.

SENATOR BEUTLER: Now, as you are as aware of...as you are aware and as everybody is aware, the death penalty doesn't apply to all criminal homicide. The death penalty only applies to murder in the first degree, premeditated murder. Now, as I understand the facts we've been given so far, there are 165 people in this state who have been convicted of first degree murder. Is that...let me reaffirm that. Is that accurate to begin with?

SENATOR BRASHEAR: That is accurate.

SENATOR BEUTLER: Okay. And so the language of this study doesn't actually say what it is we're going to analyze. It says review and analyze, but it doesn't say what conclusions, what conclusions are to be drawn from all these facts that are to be outlined by the reviewer. I thought that the purpose of the study was to determine, within the category of murder of the first degree, where you're applying the death penalty, was to determine whether the death penalty was appropriately, fairly, and equitably applied to all within that category. And so my question to you is why is this broad category of criminal homicide the area to be studied? As I view it, I'm not interested in second degree murder or felony murder or motor vehicle homicide. That's not relevant to me because none of those categories relate to the application of the death penalty. It would seem to be more appropriate that this be limited to a study of first degree murder, and I would like to tell you...I'd like you to tell me and us why the study...

PRESIDENT MAURSTAD: One minute.

SENATOR BEUTLER: ...should be broader and include all of criminal homicide. And let me get the facts straight as to the numbers before I give you the opportunity to reply. If we study all of criminal homicide, we're not studying 165 cases, which