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talked about, is kind of ridiculous, if we strip it of its formal language. It's always proportionate. If you take one person's life and you take the other person's life, it's proportionate. And I'm no prophet and I'm not a criminal lawyer, but I want to tell you I think we're headed right back, when you got 165 people all charged with first degree murder and 10 of them go to death row, I think we're headed right back to the very circumstances which, in 1972, caused the United States Supreme Court to say, if this isn't going to be done with some degree of scrupulous honest...fairness and equity, as a matter of justice it's unconstitutional. Having said that, I would like to return to the review of cases with you. These are set forth, I remind you, in State v. Palmer, so I am not inventing this language. Direct your attention to State v. Crisp, where the defendant had escaped while participating in the Douglas County Work Release Program. So we have somebody who escapes from the opportunity to use work release, stole the victim's car so he could leave town. Defendant stated to the investigators that he struck her, knocked her down, tore her clothes off, grabbed her by the breast, stuck his hand in her vagina and tried to, quote, pull her insides out. He admitted stabbing her. Following the killing, he stole her purse and her car; life in prison. State v. Norfolk, the defendant went to his aunt's home where he obtained a butcher knife. After removing his clothing, he went to his aunt's bedroom and stabbed her three or four times. He then placed his arm around her neck and squeezed until she died. Then, after three or four stabbings, and after that he attempted to have intercourse with her dead body; life in prison. Now we'll look at second degree murder,...

PRESIDENT MAURSTAD: One minute.

SENATOR BRASHEAR: ...no threat of the death penalty ever brought against these people. In the first case is State v. Cole, the defendant entered the home of the victim and initially stabbed her with a hunting knife. He also stabbed the victim's 11-year-old daughter. There was evidence that after the stabbing the victim...stabbing the victim, the defendant sexually assaulted her. She was stabbed once in the throat and twice in the chest. It was the wounds to the chest which caused her death. The defendant then carried the victim's body over