

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

January 21, 2000 LB 509

SENATOR CHAMBERS: Good morning, Mr. President. Members of the Legislature, this bill reminds me of a verse found somewhere near Matthew 27, maybe the 18th verse. A lot of people don't know that Pilate, Pontius Pilate had a wife, but he did, and she told him, when he was about to sit in judgment, "Have thou nothing to do with this just man, for I have suffered much, in a dream, because of him". I have suffered much because of this bill, not the bill itself, but because of what it attempts to rectify. I gave you a handout which explains what felony murder is. There are six listed felonies, which you will find in the green copy in the material that is scratched out. If a person is committing or attempting to commit one of these felonies and an individual dies, that person can be convicted of first degree murder and sentenced to the electric chair, as happened in the case of Randolph Reeves. To set everybody's mind at ease, this bill, if it's enacted, would operate prospectively, it would not relate to any case that has been settled. The only time it would come into play is after it takes effect. You will see, through the discussion of Senator Brashear's amendments, more about this area of the law and why the felony murder rule needs to be at least amended. What I will discuss with you before we're through are several cases that happened or the sentencing occurred after we adjourned last session, having discussed at length disparate sentences given when a murder is committed. These people were not charged with felony murder, even though the murders themselves were heinous. One man beat a woman to death, not the Schnabel case; one abducted a woman, stabbed her over 50 times, and in a plea bargain he was sentenced for manslaughter, and there will be some of those cases. As you know, with Schnabel, he beat this woman to death while the children were in the house. She had at least two skull fractures, broken ribs, many contusions and abrasions, dozens and dozens of blood spatters all over the house. He dragged her outside the house, put her under a vehicle and set it afire, trying to make it look like an accident. And in a plea deal he was allowed to plead guilty, I mean no contest to the offense and was given 25 years to life, no charge of felony murder. The thing that is so unequal, and I'll go into more detail later, but I'm trying to give you an overview about all of this, is that when a person intentionally commits a murder, intending to kill, the jury is allowed, no matter how much evidence is