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degree murder, punishable by death. We have another kind of murder, and that's called second degree murder, that's not punishable by death. We have another kind of murder, and that's called third degree murder, and that's not punishable by death. In all of those instances, first, second and third, you have to charge the crime and prove the crime, very specifically, to the standard required. And then there's felony murder, now that's the fourth one I've mentioned. It's where the death can happen as I just explained, in what I admitted was an antiseptic example, meant to de-emotionalize it, but it kicks all the way back up and gets the first degree murder penalty--death. It's the fourth kind, but it gets the first penalty, the ultimate penalty. I've said before on this floor, I'll say again that I have been and continue to be a supporter of capital punishment, but that's when it's done justly, and we covered that in the argument on the moratorium. Now, I...to further illustrate how the series of amendments and the approach that Senator Chambers and I are using to this bill came about, let me give you this underlying premise. If all, if all of our first degree murderers were dying for their crimes, that would be one thing. I would be then less concerned, I will admit to you, about whether felony murder is just as a capital offense, whether it is just to make felony murder a capital offense. But we illustrated in death, so much so that you were willing to study the issue, our first degree murderers aren't getting capital punishment in an overwhelming number of cases. Many of our first degree murderers aren't being charged with first degree murder. For whatever reasons, as a part of prosecutorial discretion they are plea bargaining down, and they are being charged with something less where they're never even under the threat of capital punishment. So then you begin to wonder, does this fourth kind of murder, where you don't have to prove any intent, you don't have to prove it even hap...you don't have to prove how it happened, you just prove it did, and I don't want to make light of it, calling it accidental, using my de-emotionalized example, because you can get some barbaric examples, but I'll explain that in a moment, is it right that first degree murderers aren't getting capital punishment, first degree murderers are bargaining down to second, and that isn't a capital offense? Everybody is bargaining based on what the prosecutor can prove, but this fourth kind of murder, where the prosecutor doesn't have to prove it, the intent, the