

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

February 7, 2000 LB 204

seems to think that every thing done in law enforcement has the same level of importance or significance. The image of law enforcement in the mind of the public is the most crucial factor in having successful law enforcement. If the public lacks confidence, if the public will not cooperate, law enforcement is impossible. The Legislature establishes broad policy within which others who have to carry out certain requirements are allowed the discretion to operate. No Legislature would give law enforcement carte blanche to do any and every thing that the members of that operation felt like doing. That's why we have placed restrictions on them in other areas. When it comes to the application of deadly force, conducting searches and seizures, conducting interrogations, arresting and holding persons, we don't leave that to the discretion or the whim of law enforcement. So when it comes to this area of quotas, this should not be left to the whim of these various supervisory persons. Senator Tyson was in the military. Now he knows that you don't just say we're not going to have any rules, we're not going to have anything, we just hope we get good Generals; every now and then we'll get a bad General, and we'll just try to survive that one and hope another good General comes along and corrects the problems that one created. He, of all people, should not draft legislation based on the personality of the individual holding the office. This bill is not dealing with an individual. This bill is dealing with a practice. It's dealing with a function. It's dealing with a very essential aspect of maintaining order in society. When you give people the power to inflict death, to deprive people of their freedom, to stop them to interrogate, or even take things from them,...

PRESIDENT MAURSTAD: One minute.

SENATOR CHAMBERS: ...those powers should be very tightly circumscribed. When it comes to these quotas, remember, the bill says a certain number or percentage. It is not "micromanaging" how an individual officer is to be evaluated. It is not preventing a supervisor from taking into consideration any and every thing that an officer does or fails to do. But in the same way that we would not allow a quota which said every officer must make at least five arrests every day, we should not allow quotas in this area either.