

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

March 17, 2003      LB 209

Committee, each is entitled to fairness when he or she stands before the bar of justice. So what I am attempting to do with this language is to say that when the worst of us becomes enmeshed in the system of justice, those wheels of justice are not to grind that person in a way different from the way anybody else would be grinded by those wheels. The only reason conduct is criminal is because the Legislature passes a law saying that it is. The conduct, in and of itself, may be condemned by some people because they don't like it, but it becomes something that the weight and power of the state will punish only when the Legislature, through constitutionally enacted law, makes it a crime. It's a crime only if it's punishable. And when the Legislature has determined that there should be a system, the operation of which more or less ensures that people who are caught up in that system will be treated equally, that system should not be skewed or perverted because a particular group has a particular burr under their saddle. Let them argue against the conduct they dislike. Let them try to persuade the Legislature to punish it more severely. And what they are trying to do, which they have a right to try to do, is to skew the system itself, and I am not in favor of that. I really believe that it is better to let 100 guilty people slip by than to punish one innocent person. To punish one innocent person with one minute of imprisonment which is not entitled is intolerable. This language that is to be stricken from this bill, this language which attempts to take something out of the law is something we should consider very seriously and I intend to see that at least the record...

SENATOR CUDABACK: One minute.

SENATOR CHAMBERS: ...shows that I took it seriously; that I do not want to see the system skewed and perverted. By your perverting the system through the removal of this language from the law, you will not stop somebody from driving under the influence. You will not stop somebody who drives under the influence from having an accident. You will not stop somebody who is harmed by a person driving under the influence from being seriously injured. All you will do is pervert the law. My amendment seeks to restore this language, and Senator Connealy himself said that this language is not something he is hanging