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FLOOR DEBATE

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that. But back to what I was saying about some aspects of the bill, because at this point I don't intend to offer amendments. I'm going to support advancement of the bill. I hope Senator Brashear doesn't get too nervous because the body is going to support this bill, the body is going to advance it. But it is not the kind of bill which should not be subjected to very careful, searching scrutiny. On page 7...17, the probation officer can impose a curfew, and it doesn't give any direction or limitation on the basis on which this curfew can be imposed. The probation officer can say not aloud to the probationer, I've got some things to do for the next two weeks at night so I'm going to tell this probationer that he or she has got to be home by eight o'clock every night. And how do you get the probationer to consent to that? If you don't consent, I'm going to take you through the process to have your probation revoked. And if I don't get you on this one, I will get you before it's over, because they will believe me more than they believe you, and you know that, I know that, the system knows it, and those who would make a decision based on an appeal by you cannot do anything to undercut my authority as a probation officer because they need me. So, are you going to accept the imposition of this curfew? And the probationer says yes. And the same is the case all the way down the line. Am I mistrustful of probation officers? Yes. Am I mistrustful of police? Yes. Am I mistrustful of judges and prosecutors? Absolutely. Am I mistrustful of my colleagues who have it in their power to enact laws that govern every aspect of people's lives? Absolutely, and that's why I engage in extended debate, to stop my colleagues from putting on the books laws that are unwise and unjust. I am mistrustful of all those who exercise power over others, and I will not consent to having this kind of broad authority given to probation officers. It is wrong. It is inappropriate.

SENATOR CUDABACK: One minute.

SENATOR CHAMBERS: At least judges have to comply, or appear to comply, with the requirements of due process laid out in the U.S. and the Nebraska Constitution. There is no restriction, no accountability built in this broad-sweeping grant of authority to probation officers, but I am not going to offer amendments.