

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

April 14, 2003 LB 454

SPEAKER BROMM: Senator Schimek, would you yield?

SENATOR SCHIMEK: Yes.

SENATOR AGUILAR: My question to you, Senator Schimek, is, do you have a question for me?

SENATOR SCHIMEK: (Laugh) I've got many questions for you, Senator Aguilar. And one which occurred to me after you and I talked. First of all, I want to establish this. The person who goes to...into this drug court program, has this person been determined guilty already?

SENATOR AGUILAR: Yes. They have to plead guilty.

SENATOR SCHIMEK: They have...what?

SENATOR AGUILAR: They have to plead guilty...

SENATOR SCHIMEK: They have to plead guilty.

SENATOR AGUILAR: ...before they ever participate.

SENATOR SCHIMEK: But they haven't actually been found guilty yet. Right?

SENATOR AGUILAR: They are...they have not been convicted.

SENATOR SCHIMEK: They have not been convicted. I'm having a little trouble hearing you. And I think it's partly the noise around the room, and the fans and everything. Okay. So they haven't actually been convicted or sentenced, right?

SENATOR AGUILAR: Correct.

SENATOR SCHIMEK: It...so...okay. My next question is then, how do they get into this drug program? How are they diverted into it? Do they have to do anything to get into that program?

SENATOR AGUILAR: Yes, they do. First of all, they have to be a nonviolent offender. Next, they have to have to make an