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FLOOR DEBATE

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LB 209

statute.

SENATOR CUDABACK: One minute.

SENATOR CHAMBERS: We would be sending an inappropriate message if we strike that word. These officers are accustomed to dealing with these types of activities. If all of a sudden the officer is told, you don't have to swear that the arrest was valid, then to the officer, that means there is a loosened standard according to which a person can be arrested. An arrest is made, whether legal or not, once an officer takes you into custody and tells you you cannot leave. The officer has a pistol. The officer can put you in handcuffs. So you can be placed under arrest even if there is no basis whatsoever. The term "arrest" simply means that the officer has taken you into custody. We want these officers to not take people into custody unless the...

SENATOR CUDABACK: Time.

SENATOR CHAMBERS: ...officers believe that probable cause exists. That means probable cause to believe a crime was committed, and probable cause to believe that the person apprehended committed...

SENATOR CUDABACK: Time is up. Your time is up, Senator Chambers.

SENATOR CHAMBERS: Thank you, Mr. President.

SENATOR CUDABACK: You've heard the opening on FA1201 to LB 209. (Visitors introduced.) Discussion of the Chambers amendment. Senator Bromm, followed by Senator Chambers.

SPEAKER BROMM: Thank you, Mr. President. And Senator Chambers, I think there may be some areas in the bill where you have some suggestions that may in fact be things that we can certainly do. And perhaps we could do this one. But let me try to explain why those two words are being removed in those sections, if you would bear with me just a little bit here. This change removes the word "validly" arrested from the sworn report requirement