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LB 270

SENATOR FOLEY: Fair enough. Fair enough. A further question, if I might. As I was stating...and I don't know if you were listening because I know you were engaged in conversation...

SENATOR BRASHEAR: I was trying to do two things at once.

SENATOR FOLEY: Yeah, you were engaged. Well, let me just, I won't be overly redundant, but I was saying that my difficulty with hate crimes is not that we would incarcerate somebody for committing a heinous act. We should. But I trip up on hate crimes because it seems to me we're trying to extend their stay in prison because we don't like what they were thinking when they committed the crime. Am I being fair to the hate crimes concept?

SENATOR BRASHEAR: Senator Foley, you're articulating one point of view, but I think it is a much...I have become convinced over time it is a much broader public policy question. What the hate crimes statute amounts to is a statement of public policy by the people of the state of Nebraska that when a crime is,...

SENATOR CUDABACK: One minute.

SENATOR BRASHEAR: ...beyond a reasonable doubt, motivated by these particular motivations, then we must stand united against that motivation. We understand there will be crimes of passion and there are always crimes of passion, but these motivations, if proven beyond a reasonable doubt, are even more loathsome and more unacceptable, and there has to be a public policy statement against them. I didn't mean to take too much of your time.

SENATOR FOLEY: No, that's fine. That's fine. We've got time. (Laugh) I...obviously, anyone who commits a crime against another person because of their religion, because of their sex, because they don't like the way that they engage in sex, any of those kinds are obviously those...people who commit those kinds of crimes ought to be put in prison, slam dunk, no quarrel, no question, no argument. That's not my difficulty. I'm having the same difficulty that Senators Chambers, Landis and Beutler had...