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LB 270

County Attorneys Association, the city of Omaha, and the Hate Crimes Project all appearing and testifying in support of the bill, with no opposition. So I would continue to urge...the amendment, I'm not certain anybody opposes the amendment as it sits before you, but I would continue to urge the adoption of the amendment and the advancement of the bill. Thank you.

SENATOR CUDABACK: Thank you, Senator Brashear. Senator Foley.

SENATOR FOLEY: Thank you again, Mr. President. Thank you, Senator Brashear. That's...I think it's fair game that you would raise the death penalty issue, because there obviously is a very strong connection between we've got on the floor right now vis-a-vis the bill that we took up in that special session on the death penalty, because it was the very same U.S. Supreme Court decision, correct, the Ring decision, that in effect trumped both our death penalty statute and our hate crimes statute. And I feel what I'm doing today in opposing the fix here is fully consistent with what I did during that summer special session on the death penalty, because I was opposed to the death penalty, always have been. Took the unusual but not unprecedented step of appearing as a state senator in hearing, testifying in support of another senator's bill that would have repealed the death penalty. And so when there was a special session to, quote, unquote, fix the death penalty, in light of the fact that I had previously testified in opposition to the death penalty in its entirety, seemed appropriate to me and fully consistent that I would vote against the fix. And that's what I did. So now we've got a hate crimes statute on our books, been there for a number of years. I wasn't here when it was put on the books. I would have opposed it if I had been, but it's been on the books and now the U.S. Supreme Court, by virtue of the Ring decision, has in effect said, hey, Nebraska, your hate crime statute is broken. Senator Brashear wants to fix it. Well, if I don't like the underlying statute, why would I want to fix it? So what I'm doing here is very consistent with what I did on the death penalty issue, and fully consistent with my views on the hate crime statute. I don't like the concept of hate crimes. I don't like the notion of telling people, because we think we know what you were thinking when you committed that crime and we don't like what you were thinking